SLAVERY ON LOUISIANA SUGAR PLANTATIONS

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1924

Ann Arbor

SLAVERY ON LOUISIANA SUGAR PLANTATIONS

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A Dissertation Submitted in Partial Fulfillment of the Requirements for the Degree of Doctor of Philosophy in the University of Michigan.

Reprinted from
THE LOUISIANA HISTORICAL QUARTERLY
April, 1924

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I

THE NEED OF NEGROES IN LOUISIANA

1. Topography of Lower Louisiana

The conditions and problems of slavery on Louisiana sugar plantations depended to some extent upon the distribution of plantations, and this in turn was determined largely by the courses of the streams which themselves determined the location of the tillable land. The Mississippi River flows through the southeastern part of the state. Before levees were built the whole area on each side was frequently overflowed. During each of these overflows the major part of the silt was deposited close to the river, and in the course of time there came to be firm land, suitable for cultivation, bordering the stream in a gradual slope downward toward the swamp beyond. It was on such banks that the settlements of Louisiana were made. Usually the elevated land sufficed for only one plantation in depth. Hence planters designated the size of their holdings as so many "arpents de face" (arpents front). An arpent front was a tract having a width of one arpent upon the water front and extending backwards to a depth of forty arpents.[1] Some had double and others treble depth extending eighty and a hundred twenty arpents respectively. A few grants extended nominally to some stream or body of water in the rear.[2] The usual concession was a single one of forty arpents in depth and those along the Mississippi commonly ranged from five to twenty-five arpents front.[3] The smaller grants, on the German and Acadian Coasts, consisted of but two or three arpents front.[4]

The Mississippi once had plural outlets leaving the main channel as far as two or three hundred miles above its present mouth. These bayous, as they were called, were equally subject to overflows and they built up their own riparian strips of land available for tillage, narrower but otherwise similar to those of the river. Large plantations were usually established along the river while small planters and farmers settled along the bayous

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[1]The arpent is still used to designate land areas in Louisiana. Its area is about 85% of an English acre. A plantation of "twenty arpents front" would thus have a gross area of 800 arpents or 680 acres.

[2]Francois Xavier Martin, The History of Louisiana from the Earliest Period (New Orleans, 1882), p. 299. A plantation advertised for sale in 1819 was "situate 21 leagues above New Orleans * * * measuring 101½ arpents front on the usual depth * * * opening about seven degrees."—Louisiana Courier, March 29, 1819, advertisement.

[3]An Account of Louisiana (Washington, 1803).

[4]C. C. Robin, Voyages, dans L'Interior de la Louisiana (Paris, 1803), 11, 240.

where neither the lie of the land nor facilities for transportation were conducive to the growth of large estates. Small boats could make their way along the bayous and furnish limited transportation facilities to meet the needs of such settlers as there were.

2. Louisiana Settlements About 1800

An attempt to trace the development of sugar planting is greatly facilitated by a knowledge of the settlements existing about the time sugar culture was introduced. Fortunately, for this study, the cession of Louisiana late in the eighteenth century and early in the nineteenth attracted public attention to the district in such a way as to cause numerous American and foreign travellers to visit and describe the region. Through their eyes we may now get a more or less accurate view of the settlements in the present sugar district about the time sugar production began therein.[5] While these settlements lay in easily distinguished localities there are for most of them no reliable statistics of population in the period.[6]

Two of these tracts—Belize or the Lower Coast, and St. Bernard or Terre aux Boeufs—lay below the city of New Orleans. The former, with a population of about 2500, about half of whom were slaves, included all the settlements below the city on both banks of the river. The plantations were "thin and owned by the poorest people."[7] The St. Bernard area consisted of settlements along the bayou from which it was named, extending eastward from English Turn, shortly below New Orleans, toward the Gulf Coast. Along this bayou were about 600 inhabitants, consisting for the most part of colonists from the Canary Islands who contented themselves "with raising fowles, corn, and garden stuff for the markets at New Orleans."[8] A third district known as Bayou St. John lay north of New Orleans along the bayou leading to Lake Pontchartrain. This district contained between 400 and 500 inhabitants.

Lying along both banks of the river for a distance of fifteen miles above New Orleans was the stretch known as the Upper

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[5]These have been admirably summarized by Mr. W. O. Scroggs, of the New York Evening Post, who has not only permitted me to use his MS. "Rural Life in the Lower Mississippi about 1803," but has given me numerous suggestions in addition.

[6]What purported to be complete returns for the whole territory by districts was later shown to be grossly inaccurate. See An Account of Louisiana, p. 20; An Appendix to An Account of Louisiana (Philadelphia, 1803).

[7]An Account of Louisiana, p. 6.

[8]Ibid., p. 13.

Coast or Chapitoulas[9] with a population comprised mainly of slaves whose masters usually lived in the city. Above the Upper Coast, for about ten miles on both banks, lay the First German Coast, sometimes termed the St. Charles Coast, in what is now St. Charles Parish.[10] The next fifteen miles up the river, lying in what is now the Parish of St. John the Baptist, was known as the Second German Coast, or Coast of St. John the Baptist.

The Germans who settled along these two coasts had come to America at the instigation of John Law and had established themselves at first upon the banks of the Arkansas River but upon the failure of Law's project they had abandoned their holdings there. As might have been expected they proved very industrious and the city below soon looked to them for vegetables, fruits, wild fowl, and fish. They customarily closed their work on Friday evening, loaded their pirogues with their produce, and floated with the current to the city where on Saturday they held market along the river front.[11] There was also a large French element among the inhabitants of the German Coast, but the Germans showed a tendency to resist assimilation. They preserved their language and customs and, though without the open and affable dispositions of the French, are described as being very honest, and kind and hospitable to strangers. They owned few slaves, did their own field work, and lived comfortably without acquiring much wealth.[12] Their settlements were considered "among the best and most approved."[13] In 1803 the two German Coasts contained about 5,000 inhabitants.

Above the German Coasts were the Parishes Catahanose and Lafourche de Chetimaches, often referred to as the First and Second Acadian Coasts respectively. In the first of these settlements there were about 2,500 inhabitants and in the second a population of about 1,200. The origin of these people, whose removal from Acadia or Nova Scotia by the British in 1755 has been made famous by Longfellow's "Evangeline," needs no further explanation. By 1803 there were a few sugar plantations

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[9]Ibid., p. 6.

[10]A parish in Louisiana is equivalent to a county in most other states.

[11]Scroggs, Rural Life (MS.), citing Bossu, J. B., Noveaux Voyages aux Indes Occidentales (Paris, 1768), p. 38; see also C. C. Robin, Voyages, II, 258, 240, quoted by James A. Robertson, Louisiana Under the Rule of Spain, France, and the United States, 1785-1807 (Cleveland, 1911), I, 224.

[12]Scroggs, Rural Life; Robin, Voyages, II, 239; Perrin du Lac, Travels through the two Louisianas, and among the Savage Nations of the Missouri, also in the United States (London, 1807), p. 86.

[13]An Account of Louisiana, p. 6.

on the First Acadian Coast. The remainder was "devoted to cotton and other provisions."[14]

From the Second Acadian Coast to the Iberville River on the north and east was the district of Iberville. This river though dry most of the year became a considerable stream during high water, a spillway for the Mississippi, and together with Lakes Maurepas and Pontchartrain helped to cut off the Island of Orleans. The Parish of Iberville was said to contain in 1797 a population of 1,110 of whom 314 were slaves.

Above the Iberville the district on the east bank of the Mississippi and the one on the west bank had different names. The one on the east extended to the "American" boundary and was known, under the Spanish regime, as the Government of Baton Rouge.[15] The population in this district was sparse but spread over a considerable area since here the elevation was such that settlements might extend a considerable distance back from the banks of the river. Only about a third of the inhabitants are reported as being slaves but travelers report that cotton plantations were becoming numerous about the time of the Louisiana Purchase.[16]

On the west bank of the Mississippi, and above the Iberville district, was the district of Pointe Coupée or False River. Some of the wealthiest planters of the province lived in this vicinity and owned large gangs of slaves.[17] The rather unreliable census returns gave the white population as 545 and the slave as 1,603. It is probable, however, that the population was much larger than the returns indicate. It appears that there was a large number of poor whites. Travellers note that the northern part of the district was inhabited by the poorest type of Acadians[18] and a careful study of the ledger kept by the leading planter and merchant in their midst shows clearly that there were numerous debtors the scale of whose purchases indicated they were not supplying gangs.[19] Further to the northwest the settlement known as Rapides lay along the Red River. Its population was

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[14]Ibid., p. 7.

[15]Scroggs, Rural Life.

[16]Perrin du Lac, Travels, p. 85; Berquin-Duvallon, Travels in Louisiana and the Floridas in the Year 1802, tr. by John Davis (New York, 1806), p. 166; Robin, Voyages, II, 242.

[17]Robertson, Louisiana, I, 121 (i. e. Paul Allicott's Reflections, April 13, 1804).

[18]Perrin du Lac, Travels, p. 86.

[19]Julian Poydras' "Ledger," 1792-1803 (MS.), in Howard Library, New Orleans. This so called ledger is rather a notebook in which is set down records of sales at the plantation store and of events of interest to Poydras or his employees.

a little less than 1,000, about one-fourth of whom were slaves. Just east of Rapides was the district of Avoyelles, with some 300 whites, and 1,000 slaves.[20]

In addition to these settlements on the banks of the rivers there were small and less prosperous settlements along the bayous to the west. Along the narrow margins of Bayou Lafourche small Acadian farmers had settled thickly. They were known along the Coasts as "petits habitants" and had small farms and few slaves.[21] It is estimated that less than one-seventh of the population were slaves even as late as the Louisiana Purchase. In fact, while the proportionate number of slaves increased after the production of sugar was begun, this has never become a "black belt." The margin of land available for cultivation was too narrow to be conducive to the formation of large plantations.

Still another western district was along Bayous Teche and Vermillion. In the Attakapas Country, as this region was known, about one-third of the population were slaves and the planter class constituted a very small part of the remainder. The land was not well drained and not very productive. Cattle and hides were the chief products of the region and lack of transportation facilities prevented the exportation of these from becoming profitable. The Acadian settlers in this district were described as being a very indolent people.[22]

Another district which later became interested in the production of sugar cane was Opelousas. Here, as in the Attakapas Country, cattle raising was the chief industry[23] though here there were less marshes and more inducements to planters. A considerable English-speaking element had settled here, and, though less than one-third of the population are listed as slaves, the district was considered quite prosperous.

3. The Sugar Industry

The earliest settlers in Louisiana concerned themselves rather with hunting and trading than with agricultural pursuits.[24] They began to produce necessities of life such as

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[20]Scroggs, Rural Life.

[21]H. M. Brackinridge, Views of Louisiana (Philadelphia, 1814), p. 178.

[22]Robin, Voyages, III, 30-36.

[23]Brackinridge, Views, p. 297.

[24]De Charlevoix, Histoire et Description Generale de La Nouvelle France, avec Le Journal Historique d'un Voyage fait par Ordre du Roi dans L'Amerique Septentrionle (Paris, 1744), IV, 187.

corn and rice,[25] and in the meantime experimented with what they hoped might become staples. They tried saffron, hops, myrtle-wax,[26] cotton,[27] tobacco, and indigo.[28] The cultivation of tobacco seemed for a time to promise success but political disputes as to the disposition of it[29] tended to cause the planters to turn more attention to the culture of indigo.[30] For several years this bade fair to become the staple of the lower part of the state.[31] The profits proved to be fairly large and planters began to operate on a large scale.[32] But toward the end of the eighteenth century other staples were sought. Indigo was found to be subject to the ravages of certain insects,[33] the prices were unsatisfactory[34] and, finally, its manufacture was considered so injurious to the health of slaves[35] that other staples came to be considered more profitable. One traveller stated that "the planters at length found out, that on the average, it killed every negro employed in its culture in the short space of five years," and that "it is a common practice * * * to send

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[25]William Bartram, Travels Through North and South Carolina, Georgia, East and West Florida, etc. (London, 1792), p. 427.

[26]Philip Pittman, Mississippi Settlements (London, 1770, reprinted Cleveland, 1906), p. 59.

[27]Memoir on Louisiana by de Champigny, in B. F. French, Historical Collections of Louisiana (New York, 1853), V, 145. Eli Whitney's cotton gin appears to have had a predecessor in Louisiana. Mr. W. G. Leland of the Carnegie Institute, of Washington, informs me that in the National Archives at Paris there is a ten page letter of December 15, 1746, written from New Orleans, which describes cotton growing in Louisiana, deals with the difficulty of ginning it and refers to a certain mill which had been in use there. There is also an eleven page memoir of October 17, 1763, written from New Orleans, on the cultivation of tobacco.

[28]DuPratz, History of Louisiana or of the Western Parts of Virginia and Carolina (London, 1763), I, 304, 314.

[29]John Pope, A Tour through the Southern and Western Territories of the United States of North America, The Spanish Dominions on the River Mississippi, and the Floridas, etc., (Richmond, 1792), p. 33. On June 15, 1777, Galvez fixed the price of tobacco in Louisiana and issued regulations for its culture and sale. Particular mention was made of Natchitoches, Attakapas and Opelousas.—Photograph of a document of the "Archives of the Indies," Seville, (In Howard Library, New Orleans).

[30]DuPratz, Louisiana, I, 314ff., describes at length the methods of cultivation and manufacture of indigo.

[31]On December 19, 1769, one Jaques Chaperon reported the sum of his accounts owed to Jaques Jaquelin, and promised to liquidate the same in indigo from his crop of 1769,—MS. No. 2400, Library of the Louisiana State Historical Society, New Orleans.

[32]It was stated that some indigo planters above New Orleans had as many as one hundred slaves.—J. D. B. DeBow's Commercial Review (New Orleans), III, 115 (1847) from a manuscript of one Caleb Carpenter dated 1776.

[33]Le General Collot, Voyage dans L'Amerique Septrionale, ou Description des Pays Arroses par le Mississippi, etc., (Paris, 1826), II, 222; Charles Gayarré, History of Louisiana, (New York, 1854), III, 434, quoting Pontalba's memoir to the "First Consul."

[34]DeBow's Review, III, 112 (editor's note).

[35]Arthur Singleton, Letters from the South and West (Boston, 1824), p. 115 (letter from New Orleans in 1818).

them to New Orleans market for sale, before the expiration of the average period of five years." But even this, he said, was discontinued when it became generally known, by prospective purchasers, to what extent the "indigo negroes" had been rendered worthless.[36] One writer suggested that the raising of indigo be altogether prohibited.[37]

While the planters were succeeding indifferently with tobacco and indigo other experiments were continued. Among other things they attempted the cultivation of sugar cane. In 1751 two hundred troops were sent from France to fill the ranks of the forces in the colony of Louisiana. Their transports touched at St. Domingo. The Jesuits there obtained permission to send on board, for their brother Jesuits in New Orleans, some sugar cane for seed, and several negroes who understood its cultivation and the manufacture of sugar.[38]

The Jesuits, and their friends who received some of the cane, planted it and for a time attempted only to increase their supply. In 1754 the Jesuits made attempts to manufacture sugar but failed, attributing their failure to lack of equipment. Colonists continued to cultivate the cane here and there with an occasional attempt to granulate sugar but more often boiling it for syrup or distilling it for tafia, a sort of rum. In 1758 one Dubriel, a wealthy planter, built a sugar house and attempted the manufacture of sugar on a large scale. But this proved a failure. An experiment in 1764 was almost as nearly a complete failure as preceding ones and one in the following year was but little more nearly successful. A few hogsheads of the so called sugar produced in 1765 were shipped to France but it was so imperfectly granulated that it leaked out of the containers.[39] Discouraged by these failures the colonists seem to have abandoned the project for a time.

For over twenty years planters devoted their attention to other products, but no staple was found profitable and reliable. In 1790 a Spaniard named Solis was continuing the cultivation of sugar cane and making tafia of the cane juice. He failed to make sugar. The following year his plantation, some ten miles below New Orleans, was purchased by one A. Mendez who pro-

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[36]Thomash Ashe, Travels in America, Performed in the Year 1806, for the Purpose of Exploring the Rivers Alleghany, Monongahela, Ohio, and Mississippi, and Ascertaining the Produce and Condition of their Banks and Vicinity (London, 1809), p. 290, 301.

[37]DeBow's Review, XXI, 202 (1856), an anonymous article written while Louisiana was a territory.

[38]DeBow's Review, XXII, 616ff.; Pontalba, Memoir, in Gayarré, Louisiana, III, 435ff.

[39]Martin, Louisiana, p. 198.

posed to succeed where all others failed. He employed an experienced sugar-maker from St. Domingo and set to work. He is said to have made a few barrels of sugar some of which he attempted to refine, with such success that a few loaves of his sugar were exhibited at a banquet, as a production of Louisiana. But he was apparently unable to call his venture a success. It was still more profitable to sell cane for seed, when one could find purchasers, than to attempt to make sugar.

In 1794 Jean Etienne de Boré, a planter living a few miles above New Orleans, found himself sadly embarrassed by the continued failure of his indigo. The destructive hurricanes, the ravages of insects, the competition of the East Indies, and the injurious effects which the manufacture of indigo had upon their slaves was about to prove too much for even the most energetic planters of the colony. Something had to be done. A change had to be made. Boré "determined to renew the attempts which had been repeatedly made to manufacture sugar."[40] Disregarding the warnings of his wife, whose father had failed in a previous attempt, he purchased cane from Solis and Mendez, employed the sugar-maker of the latter and began operations. By 1795 Boré was ready to attempt the manufacture of sugar. Joy was in store for him and surprise for his friends, for this time the sugar granulated. The experiment was successful; the product sold for a large sum;[41] and the colonists were almost assured of a new and profitable occupation.

Boré's success soon became well known. Before this the inhabitants of the lower part of the colony had found no staple which yielded large and at the same time fairly safe returns. But numerous planters near New Orleans now soon had sugar plantations in operation, and, here and there, up the "Coast" and in the interior, the more venturesome settlers began sugar planting. Ten "refineries" are said to have been in Louisiana in 1796.[42] Soon afterwards "a sugar establishment" was completed in the back region on Lake Tass, near Bayou Teche. Louisiana was within a few years to attract many former cotton planters of the Mississippi territory.[43] Pontalba in his memoir

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[40]There are several accounts of the introduction of sugar cane and of the attempts to manufacture sugar. Gayarré writes of the efforts of Boré who was his grandfather.—La., II, 346; see also Avequin, The Sugar Cane in Louisiana, in DeBow's Review, XXII, 615.

[41]Collot, Voyages, II, 232, says $12,000.

[42]Robertson, Louisiana, 1785-1807, I, 154.

[43]Brackenridge, Views, p. 297.

to Napoleon in 1800 reported that more than sixty sugar plantations had then been established in Louisiana,[44] and in 1825 the number was more than two hundred.[45]

By the time of the purchase of Louisiana by the United States the sugar industry was becoming well established. There are apparently no systematic reports of the product of sugar in Louisiana for several years thereafter. There were, however, extensive reports made annually during the 'fifties and less detailed ones from 1828.

The table below shows the size of the sugar crops of Louisiana each year (with two exceptions) from 1828 to 1858.[46]

1828—	88,000 hhds.	1844—200,000	hhds.
1829—	48,000 "	1845—186,000	"
1832—	70,000 "	1846—140,000	"
1833—	75,000 "	1847—240,000	"
1834—100,000	"	1848—220,000	"
1835—	30,000 "	1849—247,000	"
1836—	70,000 "	1850—211,201	"
1837—	65,000 "	1851—236,547	"
1838—	70,000 "	1852—321,934	"
1839—115,000	"	1853—449,324	"
1840—	87,000 "	1854—346,635	"
1841—	90,000 "	1855—231,427	"
1842—140,000	"	1856— 73,976	"
1843—100,000	"	1857—279,697	"
		1858—362,296	"

The sugar industry is subject to so many disturbing factors that it is difficult to draw accurate conclusions as to the normal product, size and distribution of the plantations in the state. Statistics for 1853 appear to be best adapted to an analysis. The crop of that year was the largest made before the war and appears to have been less affected by floods, frost, hurricanes, the tariff or other influences.

The names of the planters indicate that in some of the upper river parishes very few were creoles, while in several parishes nearer New Orleans and along some of the bayous they were in the majority. Plantations in the interior and western parishes were somewhat smaller and less well equipped than those in the river parishes.[47]

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[44]Gayarré, Louisiana, III, 436.

[45]Robertson, Louisiana, I, 154; It was reported that: "The following quantities of sugar, brown, clayed, and refined have been imported into the United. States, from Louisiana and the Floridas, viz: In 1799—773,542 lb.; 1800—1,560,855 lb.; 1801—967,619 lb.; 1802—1,576,933 lb."—Account of La., p. 32.

[46]P. A. Champomier, Statement of the Sugar Crop of Louisinaa (New Orleans, 1842-1859), 1858-'59, p. VI.

[47]See chart next page.

Louisiana Sugar Product
1853*

PARISH	Number of Creole Planters	Number of American Planters	Crops of 1,000 hhds. and over	Crops of 500 to 999 hhds.	Crops of 400 to 499 hhds.	Crops of 300 to 399 hhds.	Crops of 200 to 299 hhds.	Crops of 100 to 199 hhds.	Crops of 50 to 99 hhds.	Crops of 1 to 49 hhds.	Planters owning two or more crops or p.	Community mills	Two mills to 1 crop	Steam power	Horse power	Total Plantations	Average product in hhds. of 1,125 lbs.	Estimated Average No. working slaves per plantation.
Rapides	4	39	4	10	8	9	2	6	2	2	0	0	0	37	6	43	463	77
Avoyelles	2	26	1	3	2	5	5	8	4	0	†1	1	0	17	11	28	309	51
West Feliciana	1	18	1	8	2	2	2	2	1	1	0	0	0	18	1	19	500	83
Point Coupee	35	23	0	9	5	6	11	11	8	8	0	2	0	56	2	58	291	48
East Feliciana	0	13	0	2	0	4	3	2	2	0	0	0	0	13	0	13	315	52
West Baton Rouge	24	33	1	14	5	9	11	11	6	3	0	9	0	50	7	60	363	60
East Baton Rouge	9	42	0	7	2	5	7	19	8	2	0	3	0	49	4	50	263	44
Iberville	61	72	3	20	12	14	24	36	11	13	1	5	0	115	18	133	307	51
Ascension	32	24	9	16	4	3	8	10	5	0	‡3	1	2	50	6	55	508	85
St. James	64	21	5	17	10	10	10	16	11	5	0	2	1	67	18	84	376	63
St. John the Baptist	63	4	0	9	6	9	7	21	17	13	0	14	0	51	16	82	233	39
St. Charles	26	8	2	15	8	5	3	1	1	0	§2	0	0	35	0	35	568	95
Jefferson	19	11	3	10	6	6	2	1	2	0	0	2	0	29	0	30	537	89
Orleans	5	1	0	1	1	3	1	0	0	0	0	0	0	13	0	6	416	69
St. Bernard	13	6	0	6	2	2	2	6	1	0	0	1	0	12	0	19	399	66
Plaquemines	27	25	5	19	7	8	4	3	0	0	‖1	0	0	45	0	46	650	108
Assumption	125	33	4	9	8	14	18	35	40	26	0	7	0	69	85	154	212	35
Lafourche	53	25	3	13	7	5	15	13	16	5	0	5	1	55	22	77	326	53
Terrebonne	33	67	1	14	9	14	8	15	9	10	¶1	1	0	55	33	90	285	47
St. Mary's	42	135	1	11	10	21	33	47	37	15	**3	1	0	67	115	175	226	37
St. Martin	70	23	0	2	4	7	9	27	25	19	0	5	0	15	76	93	155	26
Vermilion	6	12	0	0	0	0	1	1	7	8	0	1	0	16	0	17	66	11
Lafayette	17	1	0	0	2	1	5	4	2	4	0	1	0	2	15	18	131	22
St. Landry	20	48	0	2	4	8	13	19	8	8	0	††4	0	35	30	62	221	37
Totals	751	710	43	217	124	170	204	324	223	142	12	65	4	976	484	1457		

*Compiled by the writer from P. A. Champomier, Statement of the Sugar Crop made in Louisiana, 1854.
†Has three plantations.
‡Have seven plantations including one in Plaquemines.
§Have four plantations.
¶Has four plantations.
‖Has two plantations.
**Have seven plantations.
††A number of partnerships throughout the state really amount to the same as community mills.
††Estimate made upon a basis, six hogsheads of sugar per working hand, estimated by Forstall,—E. J. Forstall, Agricultural Productions, of Louisiana (New Orleans, 1845), p. 31. A hogshead was usually estimated at 1,000 pounds. In his report, for 1853, Champomier considered it at 1,125 pounds.

4. Types of Labor in Louisiana

The development of the sugar industry emphasized the need of laborers. In the earliest settlements in Louisiana the laborers consisted largely of the white settlers themselves. It was soon found, however, that they were not favored by the climate. Moreover, they were more interested in commerce than in agriculture. There was, therefore, little manual labor beyond what was necessary in building homes, forts and warehouses. Even this proved disagreeable and there was a demand for more laborers. There was an attempt to supply this demand by sending to the colony indented white servants called "redemptioners."

While Crozat held a charter for exclusive control of the commerce of the colony the French Government issued an ordinance requiring vessels leaving France for any of the King's American colonies to carry redemptioners thither. Vessels of under sixty-four tons burden were required to carry four, and those of over sixty-four tons burden must carry six. The period of service was fixed at three years, and they were required to be able-bodied, between the ages of seventeen and forty, and in size not under four feet. It was provided that those whom the captain was unable to sell should be given by the Governor to some of the planters who had none, and who should pay their passage.[48] This plan was expected to give an outlet for the needy and the undesirable in Europe, and at the same time increase the supply of labor in the colonies. Redemptioners served the man who bought their services for a length of time sufficient to pay for their passage or indebtedness, and then became settlers.

Large numbers of redemptioners were unable to stand the disagreeable climate of Louisiana. Others proved undesirable. The Company of the West represented to the King in 1721 that the planters found it no longer to their interest to employ vagabonds or convicts. They had been found to be idle and dissolute and "less disposed to labor than to corrupt the poorer white inhabitants, the Negroes and Indians." Their transportation to Louisiana was therefore forbidden by the King's Council.[49]

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[48]Nov. 16, 1716.—Martin, Louisiana, p. 122. This was while the French settlements were still confined to Mobile, Biloxi and Dauphine Island.

[49]May 9, 1721.—Ibid., p. 137.

The abolition of the importation of vagabonds and convicts did not mean, however, that all classes of redemptioners were to be excluded. Desirable settlers were welcomed; industrious redemptioners included.

It has been shown that after the downfall of John Law the Germans who had been sent out under his direction in 1720 and 1721, and who decided to leave their settlements on the Arkansas River and return to Europe, were persuaded to settle just above New Orleans. They and their descendants proved such a valuable addition to the colony that efforts were made to secure others. An official wrote to the Spanish Government from New Orleans in 1785 that "a contract for one thousand German families, married and of good constitution, would be cheap at any price. Contractors would not be lacking who would deliver them by way of Holland from those princes nearby, especially from German Lorraine, where persons of all kinds of trades should be found. * * * there would be no necessity of depopulating the Canary Islands which are useful for other purposes."[50] This ambitious officer proposed a plan whereby "for the poor inhabitants who should present themselves—French, Germans, and Irish—there will be a fund of twenty thousand pesos, annually, in order to pay the cost of settling them, proportioned to the size of their families, without the King expecting other return for that aid than that produced to the state by their settlement—as happened with the first colonists of this province and with the Acadians who came in the time of Don Antonio de Ulloa, and who are now the model of settlers in usefulness, industry and progress.

"A poor family may be settled for one hundred and twenty pesos, inclusive of the cost of provisions for two years; and the king will not spend the immense sums that the present settlers who have come from the islands and from Malaga are costing him."[51]

Laborers supplied from other sources had enabled the settlers to dispense with convict labor in 1721, and this was probably responsible for the failure to adopt more effective measures to secure white laborers at later times. Immigration from Europe was continued to some extent, however, and indented

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[50]Intendant Marti de Navarro, Political Reflections on the Present Condition * * * of Louisiana, in Robertson, Louisiana, I, 248.

[51]Ibid., p. 249.

servitude did not disappear completely. Well into the nineteenth century it was the custom for the services of immigrants to be sold by transportation companies for a term of years sufficient to pay their passage.

Until 1818 these redemptioners might find themselves in the service of either whites or free people of color. The legislature then "found itself called upon to notice the frequency with which free persons of color bought the white stranger, and in their tardy wisdom they then forbade any such further purchases on their part, * * * they however permitted 'white persons of good fame and character' to continue the traffic, providing that no such redemptioner who is of the full age of eighteen years, shall be bound for a longer time than three years."[52] The same act provided that those under eighteen should not be bound longer than until they were twenty-one; that one should not be bound for the passage or debt of another, living or dead; that husband and wife should not be separated except by mutual consent; and that parent and child should not be separated except by the parent's consent.[53]

In addition to white labor the early colonists obtained Indian slaves.[54] Indians were enslaved in Louisiana throughout the period during which the colony was controlled by France. After the cession to Spain the new Governor, O'Reilly, took

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[52]Sally Miller Case—Brief (New Orleans, 1846), p. 2 (evidently prepared by plaintiff's counsel or a court reporter about 1845); see also II Robinson Reports of the Louisiana Supreme Court, 339ff.—Miller v. Belmonti.

This was a case in which the plaintiff sued for her freedom on the ground that she was not a mulatto but a white woman of European parentage. "In the latter part of the year 1817 three ships sailed from Helden (the seaport town of Amsterdam, in Holland), bound for New Orleans, charged with about eight hundred emigrants. These persons were chiefly from the province of Alsace, a department of the lower Rhine, many of them from the immediate neighborhood of Strassburg, and several respectable families from a little village near Strassburg called Langen-Soultzbach." They had a long and stormy voyage. Their ships were crowded and in an unhealthy state. "Of the eight hundred who set sail in good health and high hopes, only three hundred again saw land—they died on the passage." Sally Miller, the plaintiff in this case, survived. She was sold with her father to an inhabitant of the Attakapas country and after his death was resold as a mulatto girl and held in slavery. She became the wife of a negro overseer and bore children by him. Relatives later found her and in 1845 the Supreme Court of Louisiana held that she was white and should be free. Cable in his "Strange True Stories" tells a story based upon the case.

[53]Acts of Louisiana, 3rd. Leg., 2nd. Sess. (1818), p. 182.

[54]DuPratz who arrived in 1718 wrote: "A few days after my arrival I bought an Indian female slave of one of the inhabitants, in order to have a person who could dress our victuals, as I perceived the inhabitants did all they could to entice away our hired laborers, and to gain them by fair promises."—DuPratz, La., p. 34. Early census reports list slaves at several dates. Reports from New Orleans in 1721 give the number of Indian slaves as 51. A "General Census, Colony of Louisiana," dated 1726, gives the number then in the colony as 229. A "General Census, Department of New Orleans," dated 1727, reports 73 Indian slaves.—Sebastien Roy, Souvenir Program, St. Maurice Church Fair (New Orleans, 1912).

possession in 1769 and found that a considerable number of Indians were held in slavery. This, he declared, by a proclamation to be contrary to the wise and pious laws of Spain. But by the same instrument he confirmed the inhabitants in their possession of such Indian slaves until the king should make known his pleasure in this respect. Apparently his pleasure was never made known and they continued to hold their Indian slaves. The colony, without any change in the condition of the original population, was re-ceded to France and was then transferred to the United States on the same condition. Indian slavery was still permissible. With these facts in mind the Supreme Court of Louisiana in 1817 denied freedom to a plaintiff of Indian descent.[55]

But Indian slavery did not solve the Louisiana labor problem. The savages proved troublesome and could scarcely be persuaded to become reconciled to their fate. The settlers were frequently engaged in hunting for runaways[56] or taking precautions against uprisings or attempts of neighboring tribes to rescue fellow tribesmen. In a war with the Natchez in 1730 the French "carried the Natchez as slaves to New Orleans and put them in prison; but afterwards to avoid an infection, the women and children were disposed of in the king's plantation,

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[55]Louisiana Reports, 5 Martin (o. s.) 275, Seville vs. Cretien. The Supreme Court of Missouri decided in 1834 that in Louisiana, under the French Government, Indians could not lawfully be reduced to slavery. Wash, J., dissenting held that slavery "was expressly sanctioned and legalized" by the French Government and that "the practice is shown to have been pursued and recognized by the Spaniards." —Missouri Reports, 2 Bay 59, and 3 Bay 375, Marguerite v. Chouteau (the same case in both references).

In 1824 the Louisiana Supreme Court declared the descendant of an Indian woman of the Chickasaw tribe to be free on the ground that a jury had decided that she was held in slavery without title. This case is sometimes cited as one deciding whether Indians might be held as slaves. This is an error. The court made it explicit that it was its duty to determine the case from the facts as found by the jury. The question of title was the question at issue—Louisiana Reports, 2 Martin (n. s.) 504—Ulzire v. Poeyfarré.

[56]On October 13, 1725, Joseph Sulpice Leblanc reported that about ten months before that date a savage named Pilate belonging to the late brother of Leblanc had run away with a "savagess" belonging to Madam Drillon, and stated that pursuit had been futile.—Index of Records of Superior Council, Louisiana Province (group of records for 1720-1729), Doc. 25^{391}, in possession of Louisiana State Historical Society.

Examination of a runaway Indian slave on April 9, 1727, showed that he had run away upon mad impulse, with a slave of a Mr. Tisserant; that they had joined a party of other fugitives across the lake, but left them afterwards; and that they had no victuals left but potatoes and fish. The Tisserant Indian acted as chief of the party.

The Attorney-General reported on the same date that an Indian slave who had run away two years before had been caught and was at that time in prison. The slave belonged to Company Cashier Duval, and was accused of having enticed a slave "savagess" of a man named Amands to "rob her mistress and run away with the said fugitive."—Ibid., Doc. No. 27^{104}.

and elsewhere." Later the lot of about three hundred[57] were taken to St. Domingo, "in order to root out that nation in the colony." It was thought that the few that escaped "had not one-tenth enough women to recruit the nation."[58] Other Indians who were still held as slaves were unsatisfactory. Their spirits brooked no restraint. They were ever longing for native freedom and for the chase. Their pride and hauteur showed little of the docility of the negro slaves. The neighboring forests and marshes offered a standing invitation to runaways. Attempts to enslave the Indians came to be considered useless.[59] The trouble and the danger was greater than the return. Perhaps there were some qualms of conscience and doubt as to the extent to which Indian slavery might be justified as a missionary project.[60] At any rate Indian slaves seem never to have become numerous.

The solution of the labor problem in Louisiana came through the introduction of African negro slaves. When the eminent merchant, Anthony Crozat, was granted the exclusive commerce of Louisiana in 1712 there were twenty negroes in the colony—probably none of them within the present boundry of the state. Crozat's charter permitted him to send annually a vessel to Guinea for negroes, whom he might sell in Louisiana to the exclusion of all others. He seems, however, to have contented himself with other commercial enterprises including the importation of redemptioners. But few negroes were introduced, and these were bought by private persons as domestic property.[61]

In 1717 Crozat surrendered his charter and the exclusive commerce of Louisiana was granted to the Company of the West, organized for that purpose. The new company heeded

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[57]Seville v. Cretien, *supra.*

[58]DuPratz, Louisiana, p. 160.

[59]Boudry des Lozieres, Second Voyage to Louisiana, 1794-1798 (Paris, 1803). I, 209.

[60]As early as 1729 one Duplessis, a settler at Nachitoches, held "a kind of will," devised by the deceased F. Viard, who freed an Osage woman slave of his, and "reserved 100 pistoles in behalf of her Catholic instruction." It was ordered in court that the terms of the will be carried out. The Attorney-General approved the emancipation in question but held that the Black Code forbade a cash legacy to a slave. The money was, therefore, ordered to be turned over to the hospital and "said Osage will be trained by the Ursuline ladies" who took quarters therein.—Index of Records of Superior Council, Louisiana Province, Doc. 29[103], Oct. 22, 1729. cf. Norman Walker, The Holidays of Early Louisiana (Am. Hist. Mag. 1883, p. 460-466).

[61]John W. Monette, History of the Discovery and Settlement of the Valley of the Mississippi (New York, 1846), I, 227.

the demand for more laborers and soon imported five hundred negroes from the coast of Africa. They disembarked at Pensacola and a part of them were sent to open a plantation nearly opposite the post at New Orleans. A second cargo of five hundred negroes reached the colony in 1720 and landed in Mobile. In the following year Biloxi received a third cargo of the same size.[62] In the spring of 1722 a Guineaman brought two hundred ninety African negroes to Mobile and another brought three hundred more during the summer. By 1732 the number of negroes in the colony had increased to two thousand.

An inventory of the property of the Company of the West about this date shows that there were two hundred and sixty negroes on the company plantation opposite New Orleans. The number of slaves in Louisiana continued to increase gradually throughout the colonial period.[63] The sugar industry then caused the number to be almost doubled each decade, with one or two exceptions, until the census of 1860 enumerated 326,726 slaves in the state.[64]

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[62]Martin, Louisiana, p. 140.

[63]Of the 32,062 inhabitants reported to be in Louisiana in 1785 there were said to be 16,544 slaves and 1,303 free people of color. About a thousand of the slaves were outside the present boundaries of the state.—An Appendix to An Account of Louisiana, p. LXXXIV.

[64]The census of 1810, and the four following, reported, respectively, that the number of slaves was 34,666; 69,064; 109,588; 168,452; 244,809.

II

CONTROL OF SLAVES

1. Control by the Planter

Planters opening plantations somewhat isolated controlled their own slaves as they saw fit. Most planters usually devoted their own time to plantation affairs but might employ others, either whites or free negroes, for direct supervision of their negroes. Slaves were almost never depended upon for self government.[1]

As planting on a large scale developed, wealthy planters sometimes found that even the direction of the general affairs of their interests took more of their time than they cared to devote to it. This gave rise to a position which has been more familiar since the Civil War, that of manager. To the manager was left almost complete control of all the planter's interests in one or more plantations. He was the direct representative of the planter and was necessarily a man of administrative ability. He was expected to conduct the business, while the routine work was supervised by one or more white overseers under his control[2]. There was but little distinction made socially between the manager and the planter. The manager was working for a salary, yet the possession of the qualifications necessary for his appointment as the manager of large interests insured him a satisfactory social position[3].

On the average plantation the planter himself acted as manager and employed an overseer as his assistant. The need of two overseers on one plantations was rare. The planter of large estate usually divided his land and labor into two or more units, each plantation complete and in charge of one overseer.[4]

The duties of an overseer consisted primarily in the direct supervision and control of the slaves. The extent to which he

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[1]The notable exception on the plantation of John McDonogh will be discussed below.—The Last Will and Testament of John McDonogh (New Orleans, 1851), p. 62.

[2]This was also true of some cotton plantations on Red River.—13 Annual Reports of La., 445—Boulard vs Calhoun.

[3]"Those who administered the plantation under M. Boré's vigilant eye were his two grandsons, * * * and two Frenchmen as overseers."—Charles Gayarré, in Harper's Magazine, March 1887, p. 610. The author spent much of his youth on the plantation with his Grandfather Boré.

[4]Sometimes the term "overseer" was used as a synonym for "manager," when the former was spoken of as having another overseer under him.—B. Martin, 590 (o. s.), Morgan Syndics vs. Fiveash. On the other hand travellers in the South sometimes, carelessly or ignorantly, used the term "overseer" when speaking of a negro driver—a slave.

directed the policy of the plantation depended upon his ability and the disposition of the planter. On most plantations he was expected merely to follow the general instructions of the planter in seeing that the routine work was properly done and that the slaves, the stock and the plantation were properly cared for.[5] In some instances he planned the plantation labor.

The overseer was usually out of bed and had the negroes awake by daylight. He assigned the squads to their work, saw that the stock was fed, and if any of the negroes were reported sick he saw that they had medical attendance. After the negroes were at their work it was his business to be with them as much as his duties permitted, to see that they labored satisfactorily. He had to see that they were properly fed and that they kept themselves clean—or that they cleaned up. He was responsible for the condition of their quarters and their clothing. Many planters prided themselves upon the system, health and contentment to be found on their plantations,[6] and it was the overseer who was responsible for maintaining this condition of affairs. Moreover, upon him depended, to a large extent, the security of the whites against uprisings of slaves.

So imperative was the necessity for a responsible man in charge of slaves that the code of 1806 required "a white or free colored man as manager or overseer" on every plantation.[7] In 1814 it was specified that there should be one white to every thirty slaves. Though the law was not rigidly enforced, it was remembered when there were rumors of insurrection.[8] There are records of several convictions during the 'forties and 'fifties for failure to comply with these acts.[9]

The character and social position of the overseer was usually not exalted. It was said that "the defective education and consequent habits of the overseers of the South, with a few

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[5]Will of Stephen Henderson, Aug. 1, 1837.—Will Book No. 6, p. 27 (Orleans Parish). For a set of rules followed by an overseer see DeBow's Review, XXV, 463. DuPratz, La., I, 260, discusses the management of negroes. Numerous articles in DeBow's Review deal with the management of slaves throughout the South. eg., X, 325-328; X, 621-627; XI, 369-372; XIII, 193-194; XVIII, 713-719; XIX, 358-363; XXI, 617-620; XXII, 38, 376-381; XXIV, 321-326.

[6]DeBow's Review, XXV, 483 (1858).

[7]Acts of the Territory of Orleans, 1806-1807, No. 150, Section 18 (June 7, 1806).

[8]Laws and Ordinances of the Police Jury of the Parish of Lafourche, (MS.), I, 60 (Dec. 3, 1860). An act of 1855 required a white overseer.—Acts of La., 1855, March 15, Sec. 67. Of course the planter might be his own overseer.

[9]La. Reports 3 R. 55, State v. Linton (1842); 12 R. 48, State v. Thomas (1845); 10 A. 122, State v. Thompson et als. (1855). Most cases of this sort would not reach the supreme court and hence would not be of public record.

exceptions, disqualify them for the high and sacred trust confided to them; and yet the extravagant salaries which they receive," which, according to the writer's informant, was from one to three thousand dollars on sugar plantations, "should command the services of men of exemplary character and distinguished abilities.[10] The criticism is probably too severe, yet not without foundation. Talented business men were not likely to be attracted by positions as overseers. They became planters, or went into some other business for themselves. A class of men who had had less opportunity, less ability, and, too often, less character became overseers. Of course there were numerous worthy exceptions. Some men acted as overseers temporarily, while in financial difficulties, or hoping to save enough to become small planters. But the bulk of the overseers were such as a class; managing negroes was their profession. They were treated politely but with condescension.

The position of an overseer was not a pleasant one. He did not have the prestige of a property holder; and none recognized the fact sooner than the slaves whom he was expected to direct.[11] His authority had to be maintained by fear of the lash rather than by respect. If a slave considered himself mistreated he might appeal to his master and was sometimes upheld. Such events did not lessen the slave's contempt for the overseer nor did they create in the overseer anything resembling love for the negro. Yet what could he do? He might make life miserable for the negro but only in detail. The master would object to treatment lessening the efficiency of his slaves, or they themselves might run away, or even rebel and attack the overseer.[12] On the other hand if he was too lenient he would lose control of the slaves and his employer would object to his inefficiency. It was said that on Governor Roman's plantation the overseers had "power to give ten lashes; but heavier punishment ought to be reported to the Governor." The author added, "however, it is not likely a good overseer would be checked, in any way, by his master."[13]

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[10]F. L. Olmsted, Journey to the Back Country (New York, 1860), p. 57, quoting a letter to the "New Orleans Delta, Dec. 1856."

[11]cf. DeBow's Review, XXI, 277.

[12]"A negro * * * arrested for the murder of Mr. C. Steward * * * overseer for Mrs. Kimball. * * * the deceased struck the negro two slight cuts with a switch, and turned his back, when the boy gathered an axe, and gave a fatal blow."—New Orleans Daily True Delta, Feb. 13, 1851. See February 20 for a similar case in another parish.

[13]William H. Russell, My Diary North and South (Boston, 1861), p. 263.

A useful assistant to the overseer on nearly every plantation was the driver. The latter was a negro slave appointed on the ground of his good character, intelligence and ability to handle men.[14] His services to the overseer might be likened to those of a permanent official in a department of government where the head of the department changes at elections. No matter how often a new overseer might be employed the driver was there, familiar with conditions, a right hand man. Small planters, who lived on their plantations all the year, often preferred to dispense with the services of an overseer and depend upon drivers as assistants.

Even if an overseer was employed, his duties called him here and there, and frequently the two or more squads were at different places and therefore not under his eye. In such instances an able driver in charge of each gang could keep the work going smoothly. He was held responsible for the work done by his gang and in some instances dealt out their rations. His labor was lessened and he took pride in the possession of authority. The position was highly prized.

John McDonogh, a philanthropist of Orleans Parish, owned a large number of slaves and a sugar plantation. While he was not a typical planter, his methods of government are interesting as those of a large slave owner. He wrote in 1842, "For upwards of twenty years I have had no white man over them as an overseer. One of themselves was their manager or commander. * * * Nor would I have the time once in six months to see in person what they are doing, though the commander would report to me nightly what he had done through the day, and receive my instructions for the following day."[15]

Drivers' treatment of other slaves differed, of course, in individual cases. The negro has a tendency to be boastful and to parade his authority. Abolitionist speakers and writers often spoke of the negro drivers of the South, and those free people of color who became planters were known as hard masters.[16]

Only upon the favored few was placed the responsibility of acting as drivers. Certain other duties were more widely

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[14]DeBow's Review, XXI, 279 (1856).

[15]John McDonogh, Will, p. 62.

[16]F. L. Olmsted, A Journey in the Seaboard Slave States (New York, 1861), p. 680; George S. Sawyer, Southern Institutes (New Orleans, 1859), p. 230. Old inhabitants of the sugar district say that the driver was often more kindly disposed than the overseer.

distributed. Former overseers, in telling what they remember of antebellum conditions, state that the slaves themselves were depended upon by some masters to act as guards. According to this account one negro acted as a sort of watchman about the place until midnight and was then relieved by another who was on duty the remainder of the night. A member of the household on the famous Boré plantation in the early 'twenties wrote afterward that, "Every evening after supper sentinels were stationed at every point where depredations might be committed. They were two and two, armed with stout clubs—never a sentinel alone. At midnight they were relieved and replaced by others, and so on in turn, going through the whole gang successively, a new set every night."[17] The author's claim for the efficiency of this plan is somewhat weakened by his account of the disappearance of a fine pair of carriage horses one night. No guard saw or heard any one and nobody ever knew how the thief got away with the team, which was later seen in his possession. The author concludes, "Our bewildered negroes, unable to account for this bold and extraordinary deed, which appeared marvelous to their superstitious imagination, attributed it to Zombi or Bouki, who rank among the mischievous spirits in which they believe."

Negroes are known to be careless and in many instances dishonest. It should be remembered, however, that not every negro was unworthy of confidence. Management was sometimes made easier by the development of a strong *esprit de corps*. By playing upon the negroes' tendency to have reverence for "quality" one could arouse a sort of rivalry, in regard to system and efficiency, between his slaves and those of his neighbor. A negro then boasted of the superiority of everything on his master's plantation over those everywhere else[18]. By encouraging this pride in the home plantation one could develop, in a part of his slaves, a spirit of loyalty upon which he could depend under most ordinary circumstances. It lessened friction and simplified matters of discipline.

As an example of something approaching self-government by his slaves John McDonogh recited his plan of trial of slaves charged with offenses: "I did not order an arbitrary punish-

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[17]Gayarré, C., "A Louisiana Plantation of the Old Regime," Harper's Magazine, March, 1887, p. 611.

[18]Olmsted, Seaboard Slave States, p. 681-683.

ment, but had them tried by their peers. I would summon a jury of five or six of the principal men, and say to them, 'Such a man or such a woman is charged with such an offense; the witnesses, I am told, are such and such persons; summon them, hold your court, have him tried, and report to me your judgment and the punishment to be inflicted.'

"It was done, all in due form. The court room was the church. The trial took place and the person was acquitted or condemned. The punishment awarded, if condemned and found guilty, was reported to me. I generally found it necessary to modify it, in reference to leniency. If twenty lashes were awarded, I would say to the judges, who were the executors of the sentence, 'Give ten lashes and a moral lecture to the culprit for the offense'."[19].

2. Official Control

Throughout the colonial days matters of discipline and order among the slaves were left largely to the master and his assistants. After the introduction of the sugar industry the plantations became larger and more numerous, and there was more need for systematic supervision. If a master was indulgent or careless the welfare of the whole community was endangered. If he failed to make careful inspection at night his plantation might become the meeting place of the slaves of the community who were able to elude their own masters.[20]

In order to prevent secret meetings, uprisings, and prowling in general the planters, in communities in which the whites were outnumbered by the slaves, formed community patrols.[21] These seem to have been voluntary organizations for co-operation and they probably kept no records of their operations. It is evident that there was need of something more permanent and with more legal authority. Community patrols might prove satisfactory when all were of one accord—each performing his share of the duties and each submitting to having his premises searched for runaways or for unauthorized meetings. But where there was dissension in the community, as was frequently the case, it is obvious that such patrols needed to have legal sanction.

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[19]John McDonogh, Will, p. 62, letter of July 10, 1842.

[20]It was stated about 1802 that since the men far outnumbered the women the "night prowlers were willing to risk detection and punishment."—Berquin-Duvallon, Travels, p. 86.

[21]Scroggs, Rural Life.

In 1807 the Territorial Legislature empowered the Governor to order patrols at night by the organized militia wherever he considered it necessary. It was "provided that the service of patrols shall be made equally by the different corps of the militia, without any distinction or preference."[22] A few days later an act was passed establishing a police jury in each parish and authorizing it, in addition to other things, "to order and provide for the execution of whatever concerns the interior and local police and administration of their parish."[23] The body was to be composed of the parish judge, "together with the justices of the peace and a jury of twelve inhabitants." Whether these juries continued to rely, for the time, upon the patrols by the militia for the maintenance of order among slaves is not ascertainable. About three years later, however, the "authority of establishing patrols for the internal police of the territory" was specifically vested in these parish police juries. They were given full authority to make such regulations for the establishment of patrols and detachments as they deemed necessary.[24] More specific instructions were given the following year when each police jury was authorized to establish a "gendarmerie" whose duty it was "especially to go after runaway negroes and to maintain good order among slaves." Each jury was to make all regulations for the organization and discipline of its force but the Governor was to appoint its officers. Expenses were paid by a tax on the slaves in the parish.[25]

Record of the actual organization of the gendarmerie or patrols has been preserved in a few instances. The police jury of Ascension Parish adopted the following regulations for patrols and police of slaves June 5, 1840:

"The Police Jury shall appoint annually four freeholders in each district or ward to be commanders of the patrols during one year, and they shall each of them receive a commission signed by the president of the Police Jury. All vacancies which shall occur after the said annual appointments, shall be filled by the president of the Police Jury.

"The commanders of patrols shall immediately after receiving their commissions, meet in their respective districts and divide the persons subject to militia duty into four squads, and each captain shall have the command of a squad.

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[22]Acts of the Territory of Orleans 1806-1807.
[23]Ibid., April 6, 1807.
[24]Acts, March 20, 1810.
[25]Martin, Digest, p. 286 (April 30, 1811).

"The commanders of patrol shall perform patrol duty whenever they shall deem it necessary for the preservation of good order and for the public safety, or whenever thereto required by any magistrate of the parish.

"Any person refusing to do patrol duty whenever ordered by the commander of his squad shall be liable to pay a fine which shall not be less than five dollars; but any person so called out shall be at liberty to furnish a substitute."[26]

A somewhat different organization was provided in the Parish of Iberville. There they had nineteen patrol districts in each of which there was a commissary of patrol appointed by the police jury. The commissary formed the several patrols of his district and saw that they went over the district at least once each week. Each patrol was composed of five men, one of whom was appointed chief of patrol by the commissary. The latter informed the chief when to patrol, and the chief summoned his men, made his rounds and reported to the commissary the following day. The commissary then reported to the justice of the peace if he considered it necessary. The chief of patrol carried a sword and the other four men had guns which they were to use only in case of "obstinate resistance." The chief was held responsible for any disorder on the part of his men. He was entirely subordinate to the commissary; and they were both subordinate to the president of the police jury and to the justice of the peace. The patrol was on duty during the night from nine to four in summer, and from eight to five in winter. They were required to go all over the district and to "search all the negro cabins, at least once in their rounds, and oftener if necessary."

White males between sixteen and fifty years of age were subject to patrol duty in Iberville, and "every inhabitant proprietor of ten working slaves" was to furnish one man to do patrol duty. An owner of fifty working slaves furnished two men and one of a hundred furnished three.[27] Regulations in Jefferson Parish in 1834 required that "all white persons above the age of fifteen years and all free men of color above the same age" should be subject to patrol duty.[28] In 1858 only

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[26]MS. Minutes of the Jury of Police, Parish of Ascension 1837 ff. p. 34.

[27]J. H. Rill, New Digest of the Laws of the Parish of Iberville (1859), p. 32.

[28]MS. Jefferson Parish Police Jury Records, 1834-1843, p. 29 (February 7, 1834).

whites between eighteen and forty years of age were subject to duty.[29]

The Black Code or Edict of the King of France concerning the condition and discipline of negro slaves in Louisiana dated March, 1724[30] is in large part the same as the Black Code issued in 1685 for use in the Indies.[31] Slavery was no new thing in the French possessions and the established regulations were merely extended to newly settled colonies. In the main the black code, as thus issued, was in effect throughout the colonial days of Louisiana under both French and Spanish government. It was taken by the territorial legislature, and later by the state legislature, as the basis for their codes.[32] The state code in turn, with supplements, was adopted by the police jury in each parish after the legislature had authorized police juries "to make regulations as they deem expedient for the police of slaves in their respective parishes and for the pursuit and apprehension of fugitive negroes not contrary to the law of their state."[33]

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[29]Ibid., 1858-1870, p. 60 (July 5, 1858).

[30]Edit du Roi, Touchant l'etat & la Discipline des Esclaves Negres de la Louisiane, Mar. 1724.

[31]Le Code Noir.

[32]Acts of the Territory of Orleans (June 7, 1806).

[33]Martin, Digest, III, 283 (March 25, 1813).

III

CRIMES AND PENALTIES

1. Courts for the Trial of Slaves

Patrols were authorized to inflict corporal punishment immediately and without formal investigation. Provision was made, however, for more formal procedure when slaves were accused of serious crimes or offenses. From 1806 the tribunal for the trial of capital crimes consisted of the judge of the parish (or in case of his absence, of two justices of the peace) and from three to five freeholders.[1] Cases not capital were tried before one justice of the peace and three freeholders. A quorum in capital cases consisted of the judge and two freeholders, and there was no appeal. The justice and one freeholder constituted a quorum in cases not capital.

Such a system was obviously conducive to abuse. Practically the same provision was in force in South Carolina, and Professor Henry has shown from contemporary criticism that it was far from satisfactory.[2] There was scarcely a semblance of trial by jury where a judge and two jurors could convict. Jurors were selected by the justice as he saw fit. There was no opportunity to challenge either the presiding magistrate or the freeholders sitting with him; nor was there any provision for the consideration of any ground of appeal. No adequate opportunity was assured master or guardian for protection and defense of his ward. Sometimes the master or guardian was not present at the trial. The trials were often not held in the more frequented places and were thus not exposed to the wholesome influence of publicity. Finally, those who tried the case, including the magistrate, might be ignorant of the law, and often were likely to be swayed by prejudice or the present clamor of opinion.

But little contemporary discussion of the operation of the early courts in Louisiana has appeared. They were probably subject to the same abuses as those of South Carolina. At any rate there was apparently a need felt for a more systematic procedure, and after 1842 trials of slaves accused of capital crimes in the Parish of Orleans were held before the criminal court under the same rules of procedure followed in the trials

[1] Acts of the Territory of Orleans, June 7, 1806.

[2] H. M. Henry, The Police Control of the Slave in South Carolina (Emery, Va., 1914), p. 58.

of whites.[3] Four years later procedure in rural parishes were changed by an act providing that slaves accused of capital crimes should be tried by a tribunal composed of two justices of the peace and ten owners of slaves resident in the parish where the crime was committed. Trial was to be within three days if possible; the district attorney was to prosecute; one justice and nine jurors were to be a quorum; and a unanimous decision was required for conviction.[4]

This law, like preceding ones, failed to provide for peremptory challenge in the selection of jurors[5]; but in 1855 slaves accused of committing capital crimes were given the right to challenge, peremptorily, six jurors, and any further number for cause.[6]

But even under the new laws the operation of the courts did not prove wholly satisfactory. In an appeal to the Supreme Court of Louisiana from St. James Parish in 1848 it was pointed out that tribunals before which slaves were to be tried for criminal offenses were so constituted that justices and freeholders had equal authority; that there was no judge to preside over the deliberations of the jury or to "give them the law in charge"; and that the question of the insufficiency of proof to justify a conviction could never be presented to the appellate tribunal unless the latter were permitted to examine the evidence, as such questions could be presented only in bills of exception to the charge of the inferior judge. The court admitted that the difficulty suggested was serious but held that it resulted from the defective organization of the inferior tribunal, and could be remedied only by legislative process.[7]

In other cases it was held that the justices exercised judicial functions and also acted as jurors. This gave rise to dissatisfaction. There was undoubtedly a right to challenge jurors, both peremptorily and for cause. Yet two justices acted as jurors and, since they also acted in a judicial capacity, were not subject to challenge.[8] Furthermore, this dual capacity en-

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[3]Acts of Louisiana 1842 (March 5).

[4]Acts of Louisiana 1846 (June 1). The Parish of Orleans was excepted. These provisions were retained in the new code of 1857 (March 19).

[5]The supreme court held in 1848 that the slave and the state were each entitled to challenge for cause.—3 La. Ann. 359, State v. Isaac.

[6]Acts of Louisiana 1855 (March 15). This code was held unconstitutional, for other reasons, but this provision was retained in the code of 1857.

[7]3 La. Ann. 497, State v. Nelson (1848).

[8]14 La. Ann. 521, State v. Peter (1859).

abled justices to sit again in the trial of a case which had already resulted in a mistrial.[9]

It was not necessary to observe technical forms in trial of slave cases.[10] A brief written statement, not necessarily in any prescribed form, served as information.[11] It was charged that the attorney appointed to defend a slave in one case was not a regularly licensed one. The supreme court, finding that the record said an attorney was appointed, refused to look further into the matter but presumed the attorney to be an attorney of court.[12] In another case the owners of a slave were rejected as witnesses to prove an alibi, on the ground that they were interested parties. The supreme court held that their testimony ought to have been admitted since the point at issue was not the value of the slave but his guilt or innocence.[13]

For trial of offenses not capital an act of 1830 provided that the tribunal should consist of a justice of the peace and two freeholders, one of whom should be selected by each side.[14] No district attorney was required, but before the arrest of a slave there had to be an affidavit containing sworn statements as to sufficient evidence to justify a prosecution.[15]

In addition to whites and free people of color, the competent witnesses either for or against a slave on trial, whether for offenses capital or otherwise, included free Indians under oath, and slaves under oath, "the weight of the evidence being maturely considered and compared" with other evidence. Persons of these classes might likewise testify in trials of free negroes, mulattoes or mustees.

In general the courts were resorted to in emergencies only. Ordinarily it was to the interest of the planter to avoid giving information against his slaves as long as he could maintain a semblance of order and discipline through local control.[16] A trial interfered with his routine work. It took up his own time and that of his overseer and slaves as witnesses. Moreover,

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[9]15 La. Ann. 649, State v. Charles (1860).

[10]Acts of Territory of Orleans, June 7, 1806.

[11]Section 55 of act 308 dated March 15, 1855.

[12]8 La. Ann. 308, State v. Kentuck (1853).

[13]14 La. Ann. 521, State v. Peter (1859).

[14]Acts of Louisiana, March 16, 1830.

[15]Acts of Louisiana, June 1, 1846.

[16]An act of February 22, 1814, made one failing to inform against slaves for certain acts subject to a fine of five hundred dollars.—H. M. Robinson, A Digest of the Penal Law of the State of Louisiana (New Orleans, 1841), p. 12.

the value of the slave in whole or in part was lost if he were convicted of a capital crime.[17] Corporal punishment for crimes not capital could be as soundly administered by order of the owner as by order of the court, and much time and trouble would be saved by dispensing with the formality of a trial. It was more convenient for the planter or the overseer to question those able to give information and, since they were familiar with the character of each, the evidence might be intelligently weighed and a conclusion reached. It is true such procedure savored of assumption of the power of the courts by private parties, but, after all, the plantation system was such that it was necessary for each planter to have considerable leeway. Individual and public welfare demanded that he be master of the situation whatever might occur. His assumption of judicial and executive powers only made him loom larger in the eyes of his slaves. Undue leniency and overindulgence led to trouble.[18]

Not only did a planter hesitate to have his own slaves taken to court but he showed an equal reluctance to involve those of other planters. Each owner considered himself competent to manage his own affairs and was likely to resent interference on the part of others. No planter would care to gain the ill will of his neighbors by interfering in their affairs. If abuses became so flagrant that public sentiment was aroused, or if there were rumors of insurrection, polite tactics might be laid aside and rigid investigations made. Under ordinary circumstances the courts had little to do.

The attitude of officials in regard to the control of slaves in general seemed to be quite different from that of the planters. Officials felt that the very sense of self sufficiency which impelled planters to ignore the courts whenever possible would endanger the general welfare of the community. They considered it necessary for the legislative, judicial and executive authorities to protect the community since individual planters

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[17]An act of 1806 allowed the owner one-half of the appraised value of a slave executed, provided the value was not over $500. After 1813 he might get $300.—Martin, Digest, I, 450. In 1855 the remuneration was placed at two-thirds the value of $750 or less.—U. B. Phillips, Revised Statutes of Louisiana (New Orleans, 1856), p. 50.

[18]In the case of Collingworth v. Covington in 1847 the court said it was in the proof that the owner "had rendered his slaves unmanageable by overindulgence; and that the loose discipline which he maintained on his plantation was a source of complaint and dissatisfaction among his neighbors." His manager recovered damages from him for a wound inflicted by one of his slaves.—La. Reports, 2 A. 406.

were likely to be absorbed by their own interests. Officials were on the offensive, presuming that the welfare of the community had been, or was about to be, endangered. The individual planter was on the defensive, presuming that he could control his slaves in such a way that official interference was unnecessary. Except in times of excitement the court was likely to be far more exacting than proprietors. In times of excitement passion ran riot among injured or threatened parties and their friends, and the operation of laws hitherto opposed was hastily invoked.[19]

It may be concluded, therefore, as to the efficiency of the system of police control of slaves adopted in Louisiana that while it was subject to much criticism it answered the purpose for which it was designed. The difference in the attitude of the planters and of the courts caused them to serve as a check upon each other—the one to prevent officiousness, the other to prevent undue laxity and its consequent dangers.

2. Punishment of Slaves

Excessive punishment was at all times prohibited by law. The colonial regulations prohibited the infliction of more than thirty lashes at any one time but permitted a repetition of the punishment after an interval of one day. Under the code of 1806 whites might be tried for murder for causing the death of a slave. The code forbade the infliction of "any cruel punishment, except flogging, or striking with a whip, or putting in irons," or confinement. Beating and illtreating slaves was specifically prohibited.[20]

It is probable that masters were not often prosecuted for violating the law.[21] The value of slaves caused violations to be relatively few, and the planters' hesitancy to interfere in the affairs of others tended to check the application of the law in those instances.

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[19]No examples of mob law on sugar plantations have been brought to light. A New Orleans paper in discussing a negro lynching in Mississippi in 1851 said: "We detest mob law and its exercises but if anything can justify it, surely the violation of a white woman and her murder, * * * by a negro will furnish that justification."—Daily True Delta, March 9, 1851.

[20]Acts of the Territory of Orleans, June 7, 1806.

[21]Five prosecutions for inflicting cruel punishment upon slaves were reported for the state for the year 1854.—Rapport Annuel de L'avocat-General a la Legislature de L'Etat de La Louisiane (New Orleans, 1855), p. 12. Most recorded instances of cruelty probably owe their being recorded in newspapers to their being exceptions to the rule.

Of the permissible types of punishment whipping was probably the one most often inflicted. Confinement usually took the form of being placed in stocks for a night or for a whole Sunday.[22] Mere imprisonment was found to be not really a punishment but only a rest at the expense of the master.[23]

Slaves were punished by officials either with or without trial. Those found away from home without passes could be given immediately the maximum of from fifteen[24] to twenty-five[25] lashes by the patrol. They received similar punishment for other minor offenses.

Among the penalties within the authority of the court under the code of 1806 was that of death, for arson, murder or insurrection; for poisoning a free person or a slave, for rape on a white person, for the third offense of striking a white person, and for striking the master at any time.[26] For rebellion against a white overseer a slave was to receive twenty-five lashes, and be compelled to work in the fields for two years with a chain around his leg. In case of contusion or shedding of blood in such rebellion the punishment was doubled. For the first and second offenses of striking a white person the penalty was determined by the tribunal as it saw fit, but was not to extend to the loss of life or limbs.[27] For being on horseback without a permit the penalty was twenty-five lashes and for being away from home without a written permit the penalty was twenty lashes.[28]

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[22]Gayarré, C., in Harper's Magazine, March 1887, p. 610.

[23]Boudry des Lozieres, Second Voyage a la Louisiane (Paris, 1803), p. 329-330.

[24]In Ascension Parish they received not more than fifteen lashes. These were inflicted in the highway to prevent abuse.—MS. Records of the Police Jury of Ascension Parish, 1837 ff., pp. 34-35 (June 5, 1840). Penalties in Iberville Parish in 1859 were different only in detail.—Rill's Digest of Laws of the Parish of Iberville (Plaquemine, 1859), p. 35.

[25]MS. Records of Jefferson Parish Police Jury, 1834-1843, p. 29 (Feb. 7, 1834); Ibid., 1858-1870, p. 60 (July 5, 1858).

[26]After an insurrection during a war with the Natchez Indians in 1730 it was recorded that the French had abandoned to the Indians three negroes who had been most unruly, and who had taken the most active part in behalf of the Natchez. "They have been burned alive," said the account, "with a degree of cruelty which has inspired all the negroes with a new horror of the Savages but which will have a beneficial effect in securing the safety of the colony."—Jesuit Relations, Vol. 68, 197-198. Penalties presented for less serious offenses were very much the same as those later retained in the codes under territorial and state governments.—Edit du Roi, March 1724; Carondolet's Instructions, June 1, 1795, in An Appendix to An Account of Louisiana, p. 78.

[27]Acts of the Territory of Orleans, June 7, 1806.

[28]The permit was to read: "The bearer (negro or mulatto) named———has leave to go from———to———for—days (or hours)." It was to be dated the day of delivery.—Ibid., pp. 150 ff., sec. 30.

The penalties mentioned above were the maximum. Courts were usually permitted to impose lighter sentences at their discretion.[29] Imprisonment for crimes not capital was established in 1842. This law still permitted life imprisonment to be substituted for capital punishment. But the time of slaves was too valuable to have them imprisoned for minor offenses. They were punished in other ways and sent home to their masters.[30]

The code of 1806, following the old regulations for French possessions[31] provided that runaways killed while armed or refusing to surrender should be paid for from the proceeds of taxes upon the slaves of the county. The amount to be paid was limited to $300 and was not to be paid unless the owner had met the legal requirements for the control of the slaves killed.[32] But one might meet the technical formalities and yet permit either such lax discipline or such undue cruelty on his plantation as might lead to revolt. In such case the master himself was clearly at fault and could scarcely lay just claim to remuneration by other planters for the slaves killed or executed as a result of such revolt. Hence the legislature required by an act of 1814 that slaves should be executed for revolt at the loss of the owner.[33]

A more general insurrection could scarcely be attributed to the laxity of the particular planters whose slaves were involved. Such uprisings demanded a vigorous prosecution of all connected therewith. A planter might thus, through no particular negligence of his own, find practically his whole gang of slaves convicted as participants in insurrection. Justice seemed to demand that the loss should be borne by the general public. The legislature heeded the demand. An act of 1838 authorized the payment of $300 each for about twenty-one slaves executed or imprisoned for life, mostly as a result of an insurrection in Rapides Parish. Another section of the same act empowered the police jury of Rapides Parish to

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[29]Acts of Louisiana 1855, No. 308 (March 15, 1855); Acts of Louisiana 1857, No. 232 (March 19, 1857).

[30]Acts of Louisiana 1842, p. 520 (March 26, 1842).

[31]Edit du Roi, Article XXXXVI (1724).

[32]Acts of the Territory of Orleans, 1806-1807 (June 7, 1806).

[33]Acts of Louisiana 1814-1816, p. 18 (Feb. 22, 1814). Authority was given in 1811 to pay $300 each for slaves killed or executed on account of a recent insurrection.—Acts of Louisiana 1810-1811, p. 132 (April 25, 1811). On February 28, 1811, the legislature appropriated $500 to be paid for a negro. A special act was required since existing laws "have not provided for the compensation."—Acts of the Territory of Orleans, 3rd Leg. 2nd sess. 1811, p. 18.

levy a tax on the slaves of the parish to pay any proper amount over the $300 each paid by the state.[34]

Punishment was apparently inflicted in public in order to impress others. Governor Claiborne wrote to the Mayor of New Orleans in 1804 that "As to the accused negroes and negresses sent hither by Mr. Cantarville, there is no doubt but the superior court will do speedy justice. Should all or any of them be convicted, I shall take care that the punishment to which they shall be sentenced, be inflicted in such a manner and at such places as may best serve to terrify those who may be inclined to commit similar enormities."[35]

3. Runaways

Those responsible for the official control of slaves found their duties greatly increased by runaways. Negroes sometimes ran away because of positive cruelty, sometimes because of whipping or threats of whipping, and sometimes merely because they were dissatisfied. Their dissatisfaction was sometimes due to the influence of other runaways, of free people of color, or of objectionable whites.[36]

It is probable that relatively few runaway slaves found it possible to effect a permanent escape from their masters in the sugar district. Sugar planters were too far from the border to be greatly troubled by operations of the underground railroad, and the topography of lower Louisiana did not offer facilities for long, hasty journeys undetected. The roads necessarily led up and down the river, or the bayous and were easily guarded. Travel for long distances through the swamps and marshes was extremely difficult. There were, however, slaves who made their escape permanently. Outlaw bands

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[34]Acts of Louisiana, March 12, 1838.

[35]Bound volume of MS. marked "Am. Docs. 479-600" 1804-1814, in possession of the Louisiana Historical Society. The letter here cited bears date of November 1, 1804.

[36]Notices of runaway slaves are numerous in ante-bellum Louisiana newspapers, and official records give further evidence. Early documents, for example, contain record of the examination of a Bambara negro, David, who admitted running away from his master, de Manodé, admitted complicity in killing a heifer; and stated that he ran away because his finger had been broken by his master.—MS. Index of Records of Superior Council, Louisiana, Doc. 29 *1/4* (Nov. 16, 1729). Another has record of the sentence of Kenet and Jean Baptiste as runaway slaves; Kenet was to be lashed and branded while Jean Baptiste was to be tied to a cart and witness her punishment.—Ibid., Doc. 2234 (Aug. 13, 1767). Several documents deal with the efforts of some five or six owners to secure payment for various fugitive slaves killed by authorities while the latter were attempting to arrest them in 1788.—Bound volume of MS. "Spanish Domination, Docs. 10-200." The documents bearing upon these cases are numbered 58, 59, 62, 63, 64, 69, and 70 (1788).

of slaves, sometimes aided by criminal whites or by free persons of color, sometimes lived in the swamps or on secluded islands and preyed upon plantations within reach, and upon such shipping as might come their way.

Temporary runaways were numerous. Marshes and cane-brakes back of the plantations offered a standing invitation to slaves to take a few days rest. According to the overseer on one of Burnside's plantations, when negroes took to the cane-brakes they could elude both man and dog, and nothing could beat them but snakes and starvation.[37] By taking a supply of provisions when they left home, and by occasional night prowling and pilfering, they could live for many days. If there seemed to be no chance for ultimate escape the runaway waited until his master's wrath subsided and returned home. If he were captured and brought back by force he might expect a whipping.[38] If he returned of his own free will a wise master, except in case of confirmed runaways, might hesitate to inflict punishment. Negroes known as habitual runaways were, of course, less desirable than those of a less roving disposition. Bills of sale usually stated whether the negro had ever run away, and applications for permission to emancipate slaves had similar statements.[39]

Under the code of 1806 owners, or their white representatives, were permitted to pursue and search for their runaway slaves whenever and wherever they saw fit, "even the fields of other plantations, without being obliged to give prior notice, until after the search made, except the principal dwelling houses, and other places under lock and key."[40] Ten dollars each was to be paid for the arrest of slaves found armed, or in the woods, or in encampments, and an additional fifty cents per league was allowed for taking them to jail.[41] Captured runaways were to be put to hard labor in the respective coun-

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[37]Russell, My Diary, p. 27.

[38]In 1831 a Mr. Close was charged with beating one of his slaves cruelly. He answered that the negro in the case was a runaway and that he had just been brought back from the Mississippi. "P. Negat, a neighbor of the defendant, says he flogged the negro by order of the master, when first landed. At first he gave him twenty-five or thirty lashes, with a whip. Then on the way to his master's he became sullen, and refused to go, when he gave him ten or twelve lashes more over the shoulders. The master came, and the negro still refusing to go with either of them, the master had him whipped again * * He says * * defendant * * is not a cruel or severe master." Louisiana Reports 2 L. 581, Markham v. Close (1831).

[39]Numerous official records in the court houses of Louisiana.

[40]Acts of Orleans 1806-1807, 150, sec. 37.

[41]Ibid., Sec. 27.

ties,[42] the latter paying the expenses for "house room, clothing and medical attendance" and the city council or sheriff in charge were to advertise their capture. If they were not claimed within two years they were to be sold and the proceeds, less the expenses, paid to the owner if he put in his claim within another year and a day.[43]

Keeping captured runaways in small gangs in such diverse localities proved expensive, and owners found it difficult to learn in which parish their slaves were detained. To facilitate matters central depots for runaway slaves were established. One was in New Orleans, one in East Baton Rouge, one in Alexandria, and later a fourth in Ascension Parish. To these depots were sent all unknown runaways who were captured. In each parish in which a depot was located, except Orleans, two resident slave owners were appointed annually by the police jury to superintend the management of the depot there. At each session of the police jury they were to report on the treatment of the slaves in their depot.[44]

Slaves who were able to get beyond the Louisiana state line were, of course, not at all sure of being returned to these depots for runaways. They were sometimes captured in other states and put in prison, or sold at auction, without wide publicity. Their owners had little opportunity to learn of their capture or to arrange for their recovery. Resolutions of the legislature of Louisiana in 1832 requested the Governor to ask that runaways from Louisiana captured in Mississippi should not be sold until they had been detained at least twelve months.[45] Another resolution expressed the belief that the United States government should be informed of the necessity of arranging with the Mexican government to permit runaway slaves from Louisiana to be reclaimed when found on Mexican soil.[46]

Runaway slaves sometimes escaped from the state by steamboat or steamship, either with or without the knowledge of the crew. In 1839 masters of such craft were required to give bond making them responsible for slaves "regularly shipped" by them and carried out of the state.[47] Under a law

[42]The word county was for a brief time used instead of parish.
[43]Acts of Orleans 1806-1807, 150, sec. 28.
[44]Acts of Louisiana, 1827, p. 30 (Jan. 26, 1827).
[45]Ibid., 1832, p. 6 (Jan. 10, 1832).
[46]Ibid., p. 78 (March 6, 1832).
[47]Acts of Louisiana, March 19, 1839.

passed the next year the presumption was to be that masters of vessels were attempting to deprive masters of slaves who were found on the vessel without a written permit, no matter whether the slaves were there by permission of the captain or were merely hidden there. The burden of proof was placed on the man in charge of the vessel and the testimony of employees of the vessel was not to be received.[48]

4. Crime

A thorough study of slave crime on Louisiana sugar plantations would require the use of fuller records than have yet been found. Available material, however, furnishes illustrations and a basis for some conclusions. An early traveler's account gives certain characteristics of the negroes as follows: "The negro creoles of the country, or born in some other European colony, and sent hither, are the most active, the most intelligent, and the least subject to chronic distempers; but they are the most indolent, vicious and debauched. Those who come from Guinea are less expert in domestic service, and the mechanical arts, less intelligent, and oftener victims of violent sickness or of grief (particularly in the early days of their transportation), but more robust, more laborious, more adapted to the labors of the field, less deceitful and libertine than others."[49]

Investigation of several cases by the attorney-general in 1729 throw light upon early offenses: The negro Crusquet was poisoned. The plantation negroes thought they knew his murderer but believed the tribe of the latter used witchcraft. The law upon which the Superior Council based its decision did not recognize witchcraft but did provide punishment for poisoners. In another case a Bambara negro was accused of making persistent violent threats. The record fails to state what disposition was made of the case. A third negro, described as aged about twenty-five years and unbaptized, was found to have had no part in robbing and killing cattle but had stolen some bacon and sold it to another negro for tobacco. Another negro of the Bambara tribe, twenty-seven or twenty-eight years of age and named Pierot, had run away because he was too sick to work and was afraid of punishment. He admitted complicity in killing "a young beast." He had also stolen some corn

[48]Ibid., March 25, 1840.

[49]Berquin-Duvallon, Travels in Louisiana in 1802, p. 81.

"from the desert of the Jesuit Fathers" but had stolen no hens, so far as could be learned. Finally, a twenty year old Bambara negro named Changereau was questioned. He had run away because underfed. One of his three companions had killed the heifer "in question" but Changereau had eaten of the meat.[50]

After the introduction of the sugar industry and prohibition of the African slave trade a new source was found for the supply of slaves. It is said that when the so-called "American" negroes began to be introduced they were treated with the utmost contempt and even deep-rooted aversion by the Creole and African negroes with whom they had to associate. They were looked upon as being thieves, and capable of every sort of villainous tricks. When thefts or other delinquencies were reported, it was immediately alleged that it was the "Mericain coquin" (American rogue) who was guilty. On the other hand the American negro was observed to be more intelligent than the creole negroes and the Africans, and disposed to declare his superiority.[51] The domestic slave trade thus often caused friction on a plantation. To what extent this led to crime cannot be ascertained.

Negroes of all classes were loose in their morals and loved gambling and whiskey. This and their natural tendency to give way to impulses and passions caused them to commit many crimes and to be suspected of others. They were usually tried in minor courts, courts not of record; many were probably shielded by their masters; and those executed were not sent to the penitentiary for execution and therefore are not listed in the reports of that institution. It is therefore difficult to estimate the number and nature of the crimes committed by slaves.

Of the ninety-two slaves in the Louisiana penitentiary at the close of the year 1857 eighty-two were serving life sentences;[52] two were serving terms of ten and twenty years respectively for murder; one was committed six years for stabbing a white person; another had assaulted a white and was sentenced for five years; one was in prison for eighteen months

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[50]Index of Records of the Superior Council of Louisiana Province, 1729, October 25, Doc. 29 *164*; Sept. 27, Doc. 29 *149*; Sept. 5, Doc. 29 *122* and 29 *123*, (MS) in possession of the Louisiana Historical Society.

[51]Gayarré, A sugar plantation of the Old Régime, in Harpers Magazine, March 1887, p. 611.

[52]These figures are based on the Report of the Board of Control of the Louisiana Penitentiary, January 1858 (Baton Rouge, 1858).

for larceny while two others had two years each; one was serving four years for an attempt to rape and three were serving terms of five, fifteen and twenty-five years respectively for manslaughter. Of those who were serving life sentences twenty-three were in prison for murder; thirteen for arson; eight for wounding a white person; four each for attempt to poison, for striking a white and for assaulting a white person; three each for stabbing a white and for attempt to rape; two each for shooting, for attempts to kill, for insurrection, and for a crime not known to the penitentiary authorities; and one each for assault to kill, burglary, wounding overseer, stabbing to kill, rebellion, and breaking into a house.

Twelve of the slave convicts were women. Five of these women were imprisoned for arson; two each for manslaughter, for assaulting a white person, and for attempting to poison; and one each for murder, for poison, and for striking a white person. Three were serving sentences of eighteen months, and five and twenty-five years respectively. The other nine were serving life sentences.[53]

Two of the ninety-two were received in 1839 and one in 1840. Twelve were received in 1845 and from two to ten in each succeeding year. It is probable that a large proportion of the slaves were convicted in and near New Orleans, for over 70 per cent of all prisoners in the penitentiary three years earlier had been sent from the Parishes of Jefferson and Orleans. Eleven prisoners were from St. Landry Parish. Most other parishes in the sugar district had a much smaller representation.[54]

Of the 104 colored people, free and slave, in the penitentiary in 1855 there were forty-one natives of Virginia and thirty-four natives of Louisiana. North Carolina, South Carolina, and Maryland were represented by eight, four and six respectively, while Alabama and Kentucky were represented by three each. Two had come from Tennessee, two from Georgia and one from Mississippi.[55]

During the year 1857 ten slaves were pardoned. Two were women serving life sentences, one for wounding her mis-

[53]Children born in the penitentiary of women slaves imprisoned for life were by law the property of the state and were sold at the age of ten years.—Acts of Louisiana, Extra Session, 1848, p. 3 (Dec. 11, 1848).

[54]Annual Report of the Board of Directors of the Louisiana Penitentiary, Jan 1856 (Baton Rouge, 1856), p. 24.

[55]Ibid., p. 26.

tress and the other for an attempt to poison. One man was serving a sentence of five years for manslaughter and the other seven men were serving life sentences for murder. Ten other slaves were mentioned as "Known as the Williams negroes, discharged the 7th of February, 1857, by order of Governor Robt. C. Wickliffe."

The number of slaves imprisoned for arson was exceeded only by the number imprisoned for murder. It is probable that a large part of them were imprisoned for burning sugar houses.[56] A New Orleans paper reported the burning of at least seven sugar houses from November 26, 1850 to January 15, 1851. With each house was lost from 50 to 400 hogsheads of sugar.[57] During 1849 and the nine years following forty-six planters reported the loss of sugar or sugar houses by fire. In 1849 there were three fires and during the following years there were 11, 4, 1, 16, 4, 0, 2 and 1 respectively.[58] They were usually scattered, though in one or two years there were several fires in a single parish.

Slaves were not often imprisoned for participation in insurrections. They were hanged, and but few records made of their deeds or death. Occasionally slaves hanged or sentenced to life imprisonment are mentioned in acts of the legislature authorizing payment for them. From an act of 1838 it appears that there were a number of slaves convicted for participation in an insurrection in Rapides Parish in 1837.[59] The state treasurer reported that from December 9, 1837, to December 31, 1838, the state had paid for "slaves executed for crimes $6,100."[60] Not over three hundred dollars per slave was paid by the state at that time.

While it does not appear that actual insurrections were frequent, reports of plots created great excitement and caused immediate investigation. If the plans were learned in time there was no insurrection but severe punishment was inflicted upon the leaders. Rumors of an insurrection planned in the river parishes just north of the sugar district were spoken of in

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[56]"Sugar House Burnt.—We learn from the officers of the steamboat * * that the sugar house of Capt. Levy Wilson in the Parish of Rapides was totally destroyed by fire * * *. The loss * * * from 20 to $25,000. It is thought the building was fired by Capt. Wilson's own negroes."—New Orleans Weekly Delta, Nov. 16, 1846.

[57]Daily True Delta, Nov. 26, 27; Dec. 13, 22; Jan. 9, 15.

[58]Champomier, Annual Statement of the Sugar Crop.

[59]Acts of Louisiana 1838, p. 119 (March 12).

[60]Report of State Treasurer December 9, 1837, to December 31, 1838.

a New Orleans paper in 1842 as follows: "There is no little excitement in the parishes of Concordia, Madison and Carroll in consequence of the discovery of a contemplated insurrection of the slaves in that section. It appears that there are now in the swamps of those parishes about three hundred runaway negroes, all of whom, it is presumed, are armed. Some fifteen or twenty negroes have been arrested and examined, and from the facts elicited on the examination, it is believed that an insurrection was contemplated about Christmas. The plot seems to have been extensive, embracing in its operations negroes from nearly every plantation in the three parishes."[61]

Newspaper accounts tell of numerous crimes committed for the most part upon the master or, more often, upon his overseers. An unusual attack was reported from near St. Martinsville in 1842. According to the account a negro tried to throw his overseer "into one of the kettles full of boiling juice, but failed, fortunately, in effecting his diabolical intentions, the overseer having come in contact with another slave standing near the kettle, who was severely scalded. The villain immediately ran away."[62]

[61]The Daily Picayune, November 17, 1842.
[62]Ibid., December 18, 1842.

IV.

LABOR OF SLAVES ON SUGAR PLANTATIONS

1. Labor for the Master

The labor required of the slaves on a sugar plantation was heavy and almost continuous. From the time the planting began until the last stalk of the harvest was pressed late in December there was little lull in plantation work.[1] The work for the year may be roughly divided into four parts. The planting usually lasted from January to March, and cultivation from March to about the first of July. After the crop had been "laid by," about three months were spent in general farm work, saving hay and fodder, gathering corn, cutting and carting wood, making brick, repairing the sugar house, resetting machinery and preparing for the grinding season. Grinding began about October and lasted until about the end of December unless cut short by frosts.

In order to follow the process of making a sugar crop it may be well to begin with the preparation of the "seed" in the fall before planting began in the middle of the rather mild winter. The sugar cane itself was used for seed. It was buried in the row and shoots sprouted from the joints of the stalk. Experienced planters complained that the seed seldom yielded more than fourfold, hardly ever more than fivefold. The smallest quantity of cane required for planting a hundred acres was twenty acres of the finest cane, and if, as was too frequently the case, the smallest and poorest cane was saved for planting, it was necessary to reserve thirty, forty, and sometimes even fifty acres of cane in order to plant one hundred acres.[2] Fortunately for the planter the cane did not have to be planted every year. The stubble might be allowed to stand after the cane was cut and new shoots called rattoons sprouted from the roots the next year. There were fewer of the rattoons than of the original stalks and the rattoon stalks were smaller. Hence the yield was less than that from the first crop. It continued to diminish until it was found unprofitable to cultivate it. In fact some of the prairie planters placed no dependence in rattoons, and planted their entire

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[1]Plantation Diary of Valcour Aime 1823-1855 (New Orleans, 1874); MS. Diary of Dr. John P. R. Stone 1846-1853, in possession of his grandson, Mr. J. Stone Ware, Whitecastle, Louisiana, to whom I am indebted for permission to use the diary.

[2]J. P. Benjamin, in DeBow's Review, II, 322 (July-December 1846).

crop annually.[3] Others took two crops of cane from the land and then let it lie fallow for two years, or planted corn or peas.[4] A more general rule was to divide the land on a plantation as near as possible into three equal parts and plant one each year. Each field would in this way be cultivated two years and lie fallow a year, or be replanted in cane.[5]

About the beginning of the grinding season, usually about the first of October,[6] the planter selected the cane intended for seed, cut it and put it in mattresses to protect it from the winter frosts. This matlaying consisted of laying the cane in the field in beds about two feet in height, and in layers, in such manner that the leaves of each layer covered the stalks of the preceding layer. It was important that the cane selected for seed should be, if possible, near the field to be planted in order to save hauling.[7]

Cane might be planted at any time between the first of October and the end of March. If planted in the fall, however, unless the fields were well drained it was likely to freeze or decay. Most planters turned their land with a two-horse plow immediately after taking off the previous crop, harrowed it, opened the drills and planted during January, February and March. There was a custom of planting the rows from three to five feet apart but in the 'forties there was a decided change and planters became persuaded that a distance of seven or eight feet between the rows gave more room for covering and rotting the trash or waste from the cane. This width was adopted. Tops and leaves might then be left to protect the stubble through the winter and later raked off to the "middles" and plowed under as fertilizer instead of being burned as had previously been the custom.

When the drills had been opened the mattresses which had been laid the previous fall were opened and the cane found moist and green with the buds or eyes already swelling at the joints. The young teamsters then carted it to the newly prepared field where a "light gang" distributed it, an armful at a time, alongside the furrows. In each of these drills a more

[3]DeBow's Review, III, 581 (1847).

[4]Capt. J. E. Alexander, Transatlantic Sketches (Philadelphia, 1853), p. 244.

[5]Article from Publications of the Agricultural Society of Baton Rouge, quoted in Richard Bache, View of the Mississippi Valley or Emigrants Guide (New Orleans ?, 1834), p. 286.

[6]MS. Diary of Mr. John P. R. Stone.

[7]J. P. Benjamin, in DeBow's Review, II, 322.

experienced gang then laid three rows of cane at distances of about four inches apart. The canes were laid straight in the row, crooked stalks being cut when necessary to secure a straight line. When this had been finished they were covered by a third gang and left to grow.[8]

When slaves were high and land cheap, one would scarcely expect to find intensive cultivation on sugar plantations.[9] The object was, not to get the most that the land would produce, but to work it only to the point of maximum returns from the standpoint of labor available. Each planter attempted to cultivate as large an area as his force could be expected to care for under normal conditions. If there were long periods of rain or if he was called upon to furnish hands to repair crevasses, his crop suffered. Constant comment on the weather and the conditions of the cane stand in the diaries as accurate barometers recording the cares of anxious planters.

It is scarcely necessary to trace the routine work in cultivating cane. It was merely a matter of repeated hoeing and plowing, each planter after his own particular fashion but differing in no essential way from the methods of others. Here again the laborers were divided into gangs. On a plantation upon which there was a total of something over a hundred negroes the field hands might be found divided into three gangs. This was exclusive of the children, domestic servants, the very old and the crippled. The plow gang was composed of about twenty of the stronger and more intelligent men with the overseer in attendance, when possible, exhorting them to "put your plows in the ground and drive them mules." In his absence one of the plowmen sometimes acted as foreman while continuing his own labor. At other times a driver was assigned to the gang. In order to diminish loafing, gangs were sometimes started in together and required to keep up the pace set by the leader. The hoe gangs were much larger than the other gangs, and often included both men and women. Frequently men and women were placed in separate gangs and not always at the same kind of labor.[10] One hoeing gang on Governor

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[8]Parts of the description of the operations on a sugar plantation are applicable to present operations; others are not. Comparison of past and present operations does not come within the scope of the present study.

[9]DeBow's Review, XIV, 200 (Jan.-July, 1853).

[10]MS. Diary of John P. R. Stone, March 21, 1837; Dec. 19, 1849; Valcour Aime Diary, August 17, 1834.

Roman's plantation was said to consist of forty men who were hoeing grass out of the corn, while in another gang were thirty-six women engaged in hoeing cane. A driver attended each gang.[11]

There were two less stalwart squads. Women nursing young children were placed in the "sucklers gang" and assigned work near the "quarter."[12] The trash gang, consisting of the children in the neighborhood of ten years of age, picked peas, gathered corn, raked up hay or fodder or performed other light tasks under the direction of two or three old women.

These gangs kept the land loose and the crops clean until about the first of July. By that time the cane was shading the ground and might be left alone. At the last plowing the soil was thrown into a bed against the cane to prevent it from falling over as the top developed, and the crop was "laid by."

While the cultivation of his cane claimed the major part of a planter's attention there were numerous other duties not to be forgotten. Corn, peas, pumpkins and potatoes were planted and cultivated on those plantations not dependent upon up-river supplies of provisions; levees were mended and watched during the spring flood season; ditches were kept open and bridges repaired and, finally, in wet weather the time could be spent at some of the many tasks which otherwise would be left until the busy season. There was little occasion for loss of time. Even on rainy days there were many tasks: molasses to pour, shingles to shave, hoop poles to fashion, and hogsheads to make.

It has been pointed out above that the period between the cultivation of the crop and the grinding season was not an idle one for the slaves on a sugar plantation. Cutting and hauling wood alone took many days even when almost all hands were put at the one task. It was estimated, before bagasse or cane from which the juice had been pressed was used for fuel, that on a plantation working eighty negroes about eight hundred cords of wood were used at the sugar mill each year.[13]

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[11]Russell, My Diary, p. 262.

[12]Ibid., p. 263.

[13]Report of Agricultural Soc. of Baton Rouge 1829, quoted in Bache, View of the Valley of the Miss., p. 286.

J. P. Benjamin estimated that the primitive process of boiling in open kettles took about two and one-half cords of wood per hogshead of sugar.[14] Valcour Aime used 800 cords of wood in making 207 hogsheads of sugar in 1832.[15] In 1837 he "used nine hundred and forty cords of wood, cut three feet in length, to make five hundred and twenty thousand pounds of sugar, manufactured in forty-nine days." But besides, four hundred and fifty cords of wood, four feet in length, were consumed by the engines; therefore only about two and one-third cords of wood were consumed per hogshead.[16]

Dr. John P. R. Stone used something over a thousand cords in making 335 hogsheads of sugar in 1847. Upon his return from the North in September of that year his overseer reported that he had 1,300 cords of wood cut. A few days later an entry reads, "cutting wood for sugar house. Overseer's account falls very short, will have perhaps 1,000 cords at sugar house."[17] He ran short of wood before he finished making sugar and when he recorded in August of the following year that he had 1,100 cords cut he took precaution to add "overseer's acct."

While the men cut wood the women had other duties to perform. During July of 1853 the women on Valcour Aime's plantation cut weeds on the 4th and 14th; after that all hands hoed for a few days and on the 21st the men went back to the woods and the women began to clean the ditches and a canal. On the 25th there was little change. All the laborers were unloading brick and coal from boats on the 28th. On the 29th the men went back to chopping wood and the women went to "bending corn," repairing roads and cleaning ditches. During August the occupations were similar.[18]

As the summer waned interest became centered about the preparations for grinding the harvest, the most arduous of southern agricultural labor. Harvesting hay and fodder was finished; and cleaning and resetting machinery was begun. All odd jobs needed to be finished, for when grinding began there was no time for other things. The cane at best falls

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[14]DeBow's Review, II, 333 ff. A hogshead was reckoned as from 1,000 to 1,150 pounds of sugar.

[15]Valcour Aime's Diary, pp. 26, 28.

[16]Ibid., p. 55.

[17]J. P. R. Stone's Diary, (MS), September 28; October 10, 1847.

[18]Valcour Aime, Diary, pp. 164-165.

short of ripeness in Louisiana and when once it is in condition to make sugar the work must be rushed before the first frost.

When at last the harvest season came the field laborers were divided into cutters, loaders and haulers, each under proper supervision. The duties of the first gang consisted of cutting cane, topping it, and stripping off the leaves. They worked in sets of three, each armed with a sharp knife which was about fifteen inches in length and three in breadth in the middle and with a gentle taper toward each end. The lead hand of the set stripped and topped the cane in the middle row and then cut it near the ground. He then piled it on the row from which he had cut it while his right hand and left hand companion, having each cut the cane on the adjoining row, piled theirs on top of that cut by the leader. Thus there were left spaces through which the carts might pass. Following the cutters came the "light gang" of young negroes loading the cane into carts.

The typical cart in which the cane was hauled was a heavy two-wheeled vehicle customarily drawn by three mules. It had shafts between which one large mule was placed while two smaller ones were hitched either in front of him or on his flanks. If the ground became wet and soft, oxen were used for hauling cane from the fields and wood from the swamps.[19] Where there was sufficient water in a convenient bayou or canal, cane was sometimes carried by boat.[20]

The mill was started as soon as a supply of cane was at hand. If the weather continued mild the field work and grinding was kept going simultaneously, the mill running night and day. If a frost was threatened the whole crew was sent to the field to matlay the seed cane and to windrow the cane for the mill.[21] By piling the cane flat on the ground in windrows and covering it with trash it could be kept from damage for several days. A few arpents might be left standing for immediate grinding before the frost could do serious damage. It was during and after a frost that the hardest work of the season came. Under most favorable circumstances frozen cane was likely to be damaged before all of it could be ground. If the weather became warm and damp the loss was great through

[19]MS. Diary of J. P. R. Stone, December 4, 1847.

[20]J. A. Robertson, Louisiana, 1861.

[21]MS. Diary of J. P. R. Stone, November 28, 1847. The account shows the same course of action in succeeding years.

the souring of the juice. It is obvious that the work was urgent. When the cane left standing during the frost was finished attention was turned to the windrowed cane. There was no more standing erect—the workmen then had to stoop, pick up the cane, strip it and top it. No more stops were made for any but the worst weather; frosts and cold drizzles were ignored. An occasional "dram" kept the damp and chill out, while long oil cloth and blanket overcoats kept off the rain.[22]

Early methods of manufacture in Louisiana were of the crudest sort. The mill consisted of three vertical cylinders with cogs interlocked at the top of a horizontal beam or lever attached. The end of the lever was bent low enough for a team to be hitched to it. Either oxen or mules, or sometimes horses, pulled this mill beam round. Eight animals made a fair team.[23] The cylinders, preferably a large one and two smaller ones, crushed and pressed the cane and the juice ran out into a gutter leading to the kettles. The cane at the lower end of the rollers absorbed much of the juice pressed from that at the upper end, thus lessening the yield. About 1844 Colonel Maunsel White of Plaquemines Parish tried to get more juice by a second rolling but failed. Others, however, continued the attempts with better success.[24]

The whole process of grinding and boiling usually took place under one shed, though the mill was elevated in order to run the juice to the kettles and also to have room for a cart under the mill to receive the cane from which the juice had been expressed. Unless carried away this "bagasse" would soon pile high and hinder operations. Early mills, however, were sometimes under separate sheds. The dimensions of the building for one mill was given as forty feet square, while the boiling room was twenty-one feet in width and thirty feet in length.[25] Another establishment was one hundred fourteen feet in length by forty feet in width and divided into three rooms for a mill, a boiling room and a drying room. It was built of brick.[26]

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[22]DeBow's Review, XIV, 512.

[23]Mrs. Royall's Southern Tour, or Second Series of the Black Book, III, 62 (1831). For this note I am indebted to Professor U. B. Phillips of the University of Michigan.

[24]J. P. Benjamin, in DeBow's Review, II, 330.

[25]Supplement to No. 346 Moneteur de la Louisiane (June 4, 1804).

[26]Ibid., No. 363 (October 1, 1803).

The juice was boiled in immense open kettles arranged over a furnace in one end of which a fire was built. Of these kettles there were generally four but sometimes six. The juice was boiled, tempered with lime, and continually skimmed to remove the scum as it rose to the surface. The latter operation entailed a large loss of juice but until improved methods were introduced it had to be done. The juice thus refined and concentrated was passed from one kettle to another, sometimes by dipping and sometimes by small troughs, until it reached the last kettle called the battery, in which it was finally concentrated to the proper degree. When this stage was reached it was ladled[27] out into large wooden vats, called coolers. It was kept in these coolers until it crystallized, which generally required about twenty-four hours. When this process had been finished it was taken out of the coolers and placed in hogsheads, in the draining room or purgery, over a cistern into which the molasses dripped as it drained through holes bored in the bottom of the hogsheads. To facilitate the drainage, canes were stuck loosely down into the sugar to the holes at the bottom and as concentration took place the molasses drained down by the canes.[28] The molasses was then set aside and "filled" into barrels, for market, on rainy days.[29] The sugar thus drained was the raw or brown muscavado sugar. It was generally ready for market in two or three weeks. The system was not satisfactory. It produced highly colored sugar, containing a large quantity of molasses. Consumption of immense quantities of wood added to the expense. Planters were ever eager for a more satisfactory system.[30]

With the advent of steam power for grinding cane, it was found expedient to lengthen the rollers. This in turn required that they be placed horizontally to prevent the bagasse at the lower end of the roller from absorbing the juice from the cane at the upper end. Use of additional rollers was tried but not found successful.

Another question which had worried planters was that of fuel. The introduction of steam power increased their distress.

[27]In 1856 a Mr. F. D. Richardson of St. Mary's began to use drain pipes instead of buckets or ladles to empty the battery into the coolers.—DeBow's Review, XXI, 214.

[28]Olmsted, Seaboard Slave States, p. 671.

[29]Stone, Diary (MS).

[30]J. P. Benjamin, in DeBow's Review, II, 333 ff. (1846). His description is of a system somewhat earlier than this date.

Wood on new plantations was plentiful but required much labor for cutting and hauling. On older plantations the depletion was too much and wood became scarce. Coal was sometimes used but was not generally satisfactory. There were several attempts to use bagasse but it was for a long time impossible to find a suitable method of insuring that the wet mass would burn. After various attempts to dry the bagasse, and to mix it with other fuel, a furnace to burn it alone was finally constructed and became a success.

The primitive set of four or five kettles made, in Louisiana, of cast or wrought iron has been mentioned. The early ones were usually set fast in masonry, having the fire applied under the smallest or finishing kettle, called the battery. A straight flue of about a foot ran under all.

Various improvements were made from time to time, such as hanging the kettles by enlarged flanges, leaving the whole surface exposed to the fire; building reflection walls under each kettle to force the fire to sweep entirely round; curving the bottom of the flue to correspond with the curves above; and other things in accordance with the theories of the day.

The vacuum pan, which was widely used by the time the slaves were freed, was a large flattened spheroidal vessel of copper, sometimes eight feet in diameter, made in two parts, a pan beneath surmounted by a dome-shaped cover. The pan and cover were held together by bolts through their flanges. This pan was surrounded by a cast iron steam jacket, and had a coil of steam-pipe laid round inside of it. The juice boiled more readily in a vacuum, and various convenient appendages might be added to facilitate operations. To catch the syrup boiling over the sides when overheated there was an overflow vessel; there was a manhole cover of gunmetal at the top; a thermometer; a "barometer" gaged the internal pressure; there was a measure with pipes and cocks and holding about 35 gallons, to measure the juice; there was a piston with a proof-stick to extract samples of the contents of the pan without letting in air; an opening was at the bottom for the discharge of syrup and, finally, glass peepholes were arranged here and there through which one might see what was going on inside of the cauldron.

The slow, cumbersome method of separation of sugar and molasses was also improved upon. Instead of depending upon

draining molasses out of hogsheads through holes in the bottom and into which crushed cane or other substance had been inserted a centrifugal machine came to be widely used. This was a drum about three or four feet in diameter, and twelve or eighteen inches high, arranged to revolve rapidly on a vertical axis. The sugar, either direct from the vacuum pan or after it had been allowed to cool, was put into this machine, usually while the machine was revolving at a moderate speed. As the speed of the drum increased to about one thousand revolutions per minute centrifugal force pressed the sugar and molasses mixture against the side and forced the molasses out through small holes in the sides of the drum. By the time the slaves were freed a great part of the sugar mills of the state were using steam power, vacuum pans and centrifugal drums and had adopted other modern improvements.[31]

Labor during the grinding season was arduous. In order to work the mill at its utmost capacity day and night, from two o'clock Monday morning until noon Saturday,[32] all hands had to work early and late. Fortunately the mill crew was large and the gang could usually be alternated in shifts. If there was a sufficient number of slaves, four shifts were provided for; otherwise less.[33] But even at best, by the time a slave had worked either in the field or at the mill and had taken an occasional extra night shift at the mill there was little time left for rest or sleep. For an expert, a sugar maker for instance, who could not leave his post day or night, the situation was almost intolerable. He might have an assistant, did on plantations, but could not trust the assistant in a matter of such importance as that of making sugar. Burning sugar was too expensive. He could only prepare a bed near his work and sleep between "strikes" or discharges of finished sugar. He could at least depend upon his assistant to call him. Others fared but little better. All were severely taxed. Approximately eighteen hours work per day for weeks at a time for practically every available person, overseer and master included, was rigorous for this or any other industry. Yet slaves looked forward to the grinding season as the happiest part of the year.[34] The reasons for this will be discussed later. There

[31]DeBow's Review, III, 376 (1847).
[32]Aime, Plantation Diary, p. 160 (Dec. 12, 1852).
[33]J. A. Leon, On Sugar Cultivation in Louisiana, Cuba and the British Possessions (London, 1848), Part I, p. 75.
[34]Olmsted, Seaboard Slave States, p. 668.

seems to be no legitimate evidence in the premises for the statement[35] that Louisiana planters considered it profitable to work their slaves to death in seven, eight or ten years. Moreover, it is not likely that negroes in general could be easily persuaded to labor so industriously.

The task system as seen in the rice district of South Carolina was not developed on a large scale in Louisiana. It was not adapted to labor on a sugar plantation. The cultivation of sugar cane needed more careful supervision and was such that a gang system could be used in general field work. It must not be supposed, however, that gangs were never broken up. A study of Dr. Stone's diary shows something of how the gangs were employed. An entry in March 1847 says he is cultivating rattoon with nine plows, laying off for second planting of corn with one, grubbing new land, cutting wood and making fence. He has planted sweet potatoes and continues to saw timber for a new sugar house. On the 21st he continues to plow for corn, is making a new levee with the men and planting with the women, is sawing for his sugar house, shaving shingles for it and hauling sand for the new building. On the 30th he has finished hoeing rattoons during the morning, and is plowing and hoeing corn. Six men are ditching, two sawing, four carts are hauling wood, and two men are repairing the levee. From these and numerous other entries it appears that on this plantation the slaves doing general field work were worked in gangs but that numerous others, probably the more trusted and intelligent negroes, were called upon to perform sundry special tasks. In every crew, however small, there was probably a fairly intelligent negro who was given instructions and who saw to it that the work of his companions was satisfactory.

A study of the size of the units into which labor in the sugar district of Louisiana was divided indicates that they were somewhat larger than those in the tobacco, cotton or rice districts of the United States, though smaller than those on sugar plantations in the West Indies. Many small planters living on inland bayous and able to afford only small primitive mills lowered the average size and yet the fact remained that to become a sugar planter one must work a sufficient number of slaves to make the erection of some sort of mill profitable.

[35]Singleton, Letters from the South and West, p. 111.

He could not easily work three or four or even a dozen slaves, harvest his product and store it like cotton until some neighbor could prepare it for market. Sugar cane would not keep. There was an approximate minimum below which the size of units in sugar planting could not go. There was also an upper limit. When a plantation became too large, slaves lost too much time going to and from their work, cane had to be hauled too far, one ordinary mill could not grind the cane before it was damaged, and the unit was too unwieldly for an overseer to handle. The importance of the last item varied according to the proportion of able, seasoned and intelligent negroes available for drivers and squad leaders, the degree to which the whole crew were seasoned, and the extent to which the owner might devote his own time and attention to his plantation. Occasionally one plantation had two mills but in general large holdings were worked as separate units on separate plantations, each with an overseer of its own.[36]

By no means all of the slaves on a given plantation did the labor of field hands. There was a large staff of house servants, a few men and women disabled or past the age of usefulness, and numerous children. It was a part of the system that the care of the young and the aged should be a part of the expense of operations.[37] No self respecting planter dared limit unduly the number of domestic servants he kept. It became a matter of pride in negroes to be known as house servants. To be sent back to the field was a humiliation.

Even of the plantation hands many were employed much of the time at labor other than field work. Each plantation was a village within itself and expected to be as nearly self-supporting as possible. Among its laborers were men representing numerous trades.[38] From the earliest efforts at sugar production a part of the slaves on a Louisiana sugar plantation were expected to have attained some degree of proficiency as skilled workmen in the trades useful on the plantation. The

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[36]See chart on page 12 for the approximate average number of slaves per plantation in each parish in 1853.

[37]It was said that 84 of 215 slaves on a St. James Parish plantation were house servants, nurses and young children under five.—Harper's Magazine, VII, 746 ff. (1852).

[38]Boré's plantation is said to have had "masons, carpenters, blacksmiths, cartwrights, every other mechanic that might be wanted and even an excellent shoemaker. So we were perfectly independent of the outward world."—Harper's Magazine, March 1887, p. 610 ff., article by C. Gayarré who though quite old probably retained a good impression of his boyhood plantation life.

Jesuits of Hispaniola sent negroes "acquainted with the culture and manufacture of sugar" along with the sugar cane which they introduced in Louisiana.[39] Colonel Daniel Clark in addressing a correspondent in New Orleans on June 6, 1788, admonished him "to not forget my blacksmith, carpenter and overseer; and if you can get me a negro blacksmith, who may be called a good country workman, buy him for me—I do not limit you in price."[40]

Not all planters continued to depend upon negro sugar makers; the technicalities of improved machinery and methods caused a demand for white men.[41] But there were other trades less difficult though not too difficult for the field hand. The field gang might be called upon for any ordinary task requiring little skill. They hoed cane, cleaned ditches, chopped wood, unloaded coal barges and performed various other duties, but some things they could not do. These things were done by specialists.[42] There were shoemakers, sugar-makers, brick-makers, wagon-makers, blacksmiths, mechanics, coopers, carpenters,[43] engineers, tanners,[44] ox-drivers and mule-drivers. If other trades presented themselves a man was trained or imported for it.[45]

Advertisements of slaves for sale will illustrate the qualifications expected to commend a negro to a prospective purchaser. In several issues of the Louisiana Gazette preceding March 8, 1808, there appeared the following advertisement: "Public Auction! On Wednesday, March 9 next, will be sold at the Auction Store of the subscriber, without reserve—A

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[39]F. X. Martin, The History of Louisiana (New Orleans, 1883), p. 183, quoted by E. P. Puckett, the Free Negro of New Orleans (MS), submitted to the faculty of Tulane University in partial fulfillment of the requirements for Master's degree (1907), p. 44.

[40]General James Wilkinson, Memoirs of My Owm Times (Philadelphia, 1816), II, Appendix, XIII.

[41]Valcour Aime said the more complicated apparatus could not "be entrusted to negroes without the active superintendence of an experienced sugar maker, * * *." DeBow's Review, IV, 425 (1847).

[42]"The first place I visited [at Burnside's Houma Plantation in 1861] with the overseer, was a new sugar house, which negro carpenters and masons were engaged in erecting * * *. [The overseer boasted] that they did all the work of skilled laborers on the estate. * * * All the carpenter's and smith's work, the erection of sheds, repairing of carts and ploughs, and the baking of bricks for the farm buildings, are done on the estate by the slaves."—Russell, My Diary, II, 273 ff.

[43]During February and March 1852 Dr. Stone had several cabins built. "Adam" shaved the shingles and did the framing. At other times he prepared windows for the sugar house.—Stone, Diary (MS), Dec. 19, 1849; Jan. 9, 1852; etc.

[44]A tanner, 25 years of age, was advertised for sale in 1803.—Moniteur de la Louisiane Supplement No. 361, (September 17, 1803).

[45]Old Francois was the "horse-doctor" on the Fernandez plantation on Bayou Lafourche and in the fall of 1915 his daughter had taken up the "profession."—Statement of Mr. J. F. Fernandez, Donaldsonville, Louisiana.

Gang of Negroes, Consisting of 62 slaves, including two children, forming one of the best collections in the country, most of them chosen. They consist of creoles and New Negroes of the Mandango Nation, the latter upwards of two years in this country; all accustomed to the labor of a sugar plantation. In this gang there are mechanics of every kind, some above the ordinary, complete sugar makers, millers, carters, etc. The whole gang are remarkably docile and without vice."[46] On June 5, 1807, there appeared in the same paper the following: "For sale, a fine negro cooper, a complete workman, 22 years of age."

In the "For Sale" columns of the New Orleans Bee for 1831 were listed several negroes "acquainted with the refinery work," and several "acquainted with distillery." In the Louisiana Gazette for April 16, 1857, appeared the following:

"More negroes! Received by this day's steamer from Mobile, 42 likely negroes, from Georgia and Virginia. Buyers are requested to call and see for themselves. All descriptions: Field-hands, mechanics, cooks, washers and ironers, and body servants * * * . Among them I have a No. 1 Blacksmith, two seamstresses, two No. 1 Body-servants, and a Barber."

Court records frequently show the occupation of slaves actually on sugar plantations. Among the thirty-three slaves brought in marriage by one Panela Elizabeth Rentrope of St. Mary's Parish to Dr. John Rhodes of New Orleans were a driver 34 years of age; a blacksmith, 41; a cooper, 29; a seamstress, 26; a laundress, 20; a seamstress, 14; and a cook, 70.[47] In a gang of fifty-nine slaves sold by John M. Rice to P. C. Bethell there was a cooper aged 21.[48] Of twenty-seven sold or given by Judge Baker to Frances Baker Palfrey, one was a blacksmith aged 25.[49] In a list of seventy-nine slaves in St. Charles Parish in 1860 the occupation of most of them was stated.[50] There were field hands, plowmen, cartmen, cooks, house servants, two carpenters, an engineer, a rough blacksmith and a driver. Most of the skilled workmen were

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[46]For this and the several following advertisements, I have used Mr E. P. Puckett's "The Free Negro in New Orleans" (MS), p. 45ff.

[47]MS. records of the Court of St. Mary's Parish, Franklin, Louisiana, January 24, 1852.

[48]Ibid., January 12, 1860.

[49]Ibid., July 13, 1859.

[50]"Conveyances C" (MS), p. 65 ff, Court Records, St. Charles Parish, May 23, 1860.

also listed as being both plowmen and cartmen, others as being field hands, cartmen and plowmen, while a few were serviceable as either field hands or house servants.

The 215 slaves on one of the model plantations of the state were said to be classified in 1853 as follows: 107 field hands, 2 coopers, 1 blacksmith, 2 engineers, 4 carpenters, 20 house servants, 4 nurses, 11 old men and women who attended the stables, and 64 children under 5 years of age.[51]

There were important exceptions to the attempt to have all plantation labor performed by slaves. As further evidence of the presence of white sugar makers in Louisiana we may cite an advertisement in New Orleans in 1803. A man describing himself as a planter and refiner of much experience had just arrived from St. Domingo and advertised for work.[52] Olmsted found that some of the Acadians living near the plantation which he visited in 1853 "were mechanics. One was a very experienced mason, and he [the planter] employed him in building his sugar works and refinery; but he would be glad to get rid of them all, and should then depend entirely on slave mechanics * * * of these he had several already and could buy more when he needed them."[53] During the summer of 1850 one W. Lake, a carpenter, was employed by Dr. J. P. R. Stone, "wages 50 per month, agreed upon in the city."[54] In 1851 Stone recorded that "W. Tuttle returned to work" on May 28, but left to work for Dr. Clement June 7.[55]

Other white laborers were employed for quite a different reason. When the prices of slaves became very high, as they did in the last decade before the civil war,[56] it was found expedient to employ Irish laborers[57] to do the work most injurious to slaves. Russell visited several sugar plantations in 1861 and commented upon this custom. "The labor of ditching, trenching, cleaning the waste lands, and hewing down the forests, is generally done by Irish Laborers, who travel about

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[51]J. B. Thorpe in Harper's Magazine, VII, 759 (1853). He was speaking of the slaves on Valcour Aime's plantation known as the St. James Refinery.

[52]Supplement No. 360 to the Moneteur de la Louisiane (September 10, 1803).

[53]Olmsted, Seaboard Slave States, p. 673.

[54]Stone's Diary (MS), June 17, July 2, Aug. 9, Aug. 18, Sept. 1, Nov. 14, 1850.

[55]Ibid., May 28, 1851, Carpenters had been employed to build a cane shed in 1848. Several entries note their progress. On June 12, 1848, "Carpenters have finished their work and left * * paid off in full."

[56]U. B. Phillips, American Negro Slavery (New York, 1918), p. 70.

[57]Thorpe, in Harper's Magazine, VII, 752 (1853).

the country under contractors or engaged by resident gangsmen for the task. Mr. Seal [overseer on Burnside's Houma Plantation] lamented the high prices of this work; but then, as he said, 'it was much cheaper to have Irish to do it, who cost nothing to the planter, if they died, than to use up good field hands in such severe employment'."[58] At another time, said Russell, overseer Gibbs of Burnside's Orange Grove Plantation "pointed out some sheds around which were broken bottles where the last Irish gang had been working, under one John Loghlin of Donaldsonville, a great contractor, who, he says, made plenty of money out of his countrymen, whose bones are lying up and down the Mississippi."[59]

Governor Manning, it appears, was less fortunate in his attempts to secure Irish Laborers. His overseer is said to have complained that clearing land was "death on niggers and mules, we generally do it with Irish, as well as the hedging and ditching; but we can't get them now, as they are all off to the wars."[60]

Plantation notebooks and diaries available make no mention of gangs of Irish laborers, though it appears individuals were employed. Dr. Stone noted that he "Paid Irishman $5," on September 15, 1850.[61]

J. A. Leon made the following statement after spending about a dozen years in Louisiana just after 1830: "At the New Orleans Sugar refinery I had all kinds of immigrants, Germans, Irish, French, etc., coming direct from their hamlets, and not the least acquainted with sugar manipulation. I never had the least trouble with them."[62] "Francis Ward, an Irishman * * * 22, occupation that of a ditcher, was admitted to the Charity Hospital of New Orleans on the 18th of April, 1848."[63] Nothing is said to indicate where he had labored.

A given number of laborers could cultivate more sugar cane than they could harvest in the limited time allotted to that work. The grinding season therefore brought overwork. There was not a supply of unemployed slave labor available temporarily during the grinding season and any additional laborers had to be secured from other sources. According to a

[58]W. Russell, My Diary, p. 272.
[59]Ibid., p. 278.
[60]Ibid., p. 282.
[61]Stone, Diary, September 15, 1850.
[62]J. A. Leon, On Sugar Cultivation in Louisiana, II, 29.
[63]New Orleans Medical and Surgical Journal, V, 338 (November, 1848).

statement made in the early 'fifties the Acadian farmers were usually employed to help in the harvest.[64]

One of the chief criticisms of slavery on Louisiana sugar plantations was in regard to the amount of labor required of slaves—the long hours. Before the production of sugar cane became an industry in the colony there was no particular season during which an unusual amount of work was necessary, and the official regulations were made in respect to the hours of labor to be observed.

After the development of the sugar industry such regulations were nominally in force, though probably ignored. The necessity for night work during the grinding season made it difficult to learn how many hours a particular slave had labored—granting that any official would attempt to secure this information. Instances have been cited above where steady runs called for long hours. It happens, however, that whites as well as blacks worked early and late. It does not appear that charges of overwork in summer were made. It is probable that it was not found expedient to require excessive labor of either mules or slaves during those months.

Carondelet's instructions in 1792 were that slaves should not be required to work before daybreak nor after dark and that half an hour be allowed for breakfast and two hours for dinner at noon.[65] It seems to have become the custom to shorten the noon period of rest to an hour and a half during the winter months. A section of the black code adopted by the Legislature of the Territory of Orleans in 1806 read as follows: "As for the hours of work and of rest, which are assigned to slaves in summer and winter, the old usages of the territory shall be adhered to, to wit: The slaves shall be allowed half an hour for breakfast during the whole year. From the first day of May to the first day of November, they shall be allowed two hours for dinner, and from the first day of November to the first day of May, one hour and a half for dinner; Provided, however, that the owners who will themselves take the trouble of causing to be prepared the meals of their slaves, be and are hereby authorized to abridge by half an hour per day the time fixed for their rest."[66]

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[64]DeBow's Review, XI, 606.

[65]Gayarré, History of Louisiana, III, 313.

[66]Martin's Digest, p. 610 (Act of June 7, 1806).

A planter operating several plantations in Orleans Parish gave instructions in 1837 that his slaves were not to be taken out to work until nearly sunrise in the morning and were not to be kept in the field longer than an hour after sundown in the evening.[67]

As long as slaves were employed under the direct supervision of the master or his overseer matters of discipline were relatively simple. When they were employed by people other than the master the question of treatment and discipline became more complicated. On the larger plantations a skilled laborer might be kept at his trade practically all the time. On smaller ones the work of such slaves was soon finished and they had to do ordinary field labor or be hired out. The latter was sometimes found more profitable since skilled labor was not always to be had in abundance and hence commanded a high rate of wages. Hiring slaves might take two forms. The proprietor might bargain directly with the prospective employer or he might hire the slaves to themselves and let them bargain with those in need of their services. In the latter case the slaves agreed to pay their master so much per week and were permitted to keep anything which they might make above that amount. A slave, of course, was not able to become a party to a legal contract but a master was protected by the fact that he could sue for a debt due his slave.[68]

The present study will not be concerned at length with "hiring out" a slave's time to himself. It probably became quite generally prevalent in New Orleans,[69] laws to the contrary notwithstanding, and its history will be a fruitful field for future investigations; but available material has not shown that the custom became common in the rural districts. It was there in the plantation regime that slavery was seen in its most successful operation. It was based on the idea of gang labor, under direct control, and discipline among slaves was dependent upon direct supervision whether in gang labor in

[67]Stephen Henderson's Will (MS), Will Book No. 6, p. 27 ff. (August 1, 1837), in Orleans Parish Courthouse.

[68]La. Reports B. Martin 161, Livaudais v. Fon (1820).

[69]"Indeed, the slave who has liberty from his master to make the most of his time (paying so much per week out of his earnings), will, if he be a good workman, be able in a short time to purchase his manumission. I may mention, that a black woman who worked for me, and who was a slave had saved, as the fruits of her industry, as much as 200 dollars with which she had intended to buy her freedom; but she had been villainously robbed of this sum about two years before. She had, however, at the time I was there, again gathered upwards of 100 dollars for the same purpose."—James Ward, Voyage from Liverpool to New Orleans and Back, in the year 1829 (Belfast, 1830), p. 30.

the fields or in skilled labor about the plantation. In a district where whites were relatively few and where there was a less adequate police force, no unnecessary chances could be taken. Hiring a slave to himself practically released him from the care of an overseer, made him free to come and go almost at will and gave him more opportunity to become disorderly in the community. Moreover, when on account of illness or indolence he was unable to meet his weekly payments to the master, fear of the lash might induce him to steal. Such laxity could not be tolerated and laws were enacted prohibiting it.

The first legislature of the Territory of Orleans made hiring a slave's time to himself punishable by a twenty-five dollar fine.[70] The prohibition may not have been enforced but was still on the statute books in the early 'fifties.[71] The new code of 1855 made no mention of the subject,[72] probably on account of the demand for hired slaves in New Orleans. Four years later an act forbade owners of slaves to permit them to hire their own time in the parishes of St. Tammany, Washington, St. Helena and Livingston.[73]

There is more evidence of masters hiring slaves directly to those desiring their services. Objections could also be found to this method of employment. Slaves so employed were more likely to be underfed, overworked and subjected to harsher treatment than those in whose permanent value the employer was personally interested. Hiring out slaves at ordinary wages could not be profitable enough to cause the custom to become general in rural districts. There were circumstances, however, under which they might be so employed. They were then put in charge of the employer and he became responsible for their welfare and conduct.

Hiring out slaves was begun in the early days of Louisiana.[74] With the growth of the colony and the introduction of

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[70]Acts of the Territory of Orleans for 1806-1807, 150, 13.

[71]Pierce, Statutes (1852), p. 525.

[72]Acts of Louisiana 1855, No. 308 (March 15).

[73]Acts of Louisiana 1859, No. 214 (March 17).

[74]In a contract dated September 7, 1728, one A. Gilbert promised to pay 600 francs for the labor of two slaves for one year, promised to care for them conscientiously, and to bear the costs of treatment if they were crippled in his service. The owner was to make due allowance if they ran away and was to pay expenses due to ordinary sickness. In May of the following year Gilbert was sued by another owner for the amount due for the hire of two negroes for three months and twenty-five days at 600 francs a year. In October of the same year describing himself as a carpenter he hired two slaves from still a third owner and promised to pay 240 francs per year for each. In 1769 the Negro, of a certain Toneton estate, was let out for three years to one Dogobert for 305 francs, payable quarterly in Spanish dollars or in minted gold.—MS. Index of Records of Superior Council of Louisiana Province, Docs. No. 28^{119}; 29^{54}; 29^{165}; C 69^{14}; in possession of the Historical Society of Louisiana.

the sugar industry, a considerable number were hired both in towns and in the rural districts—men and women.

Domestic servants were commonly better treated than other slaves and were sometimes fortunate in being taken from among their own kind and placed in a white family. Other slaves hired for work on the river or on plantations fared far worse. Those who were longshoremen were particularly unfortunate. A slave employed on a steam boat also had arduous labor. He fired the engines en route, and when approaching a landing was rushed out of an uncomfortably warm engine room into any comfortable or uncomfortable weather which he might find outside, and was put to unloading provisions at some plantation landing, or to loading wood, or molasses, or great hogsheads of sugar. If he did not die of pneumonia or fevers he might escape from his labors by one of the frequent steamboat explosions, by the boat's being snagged and sunk, or by his being knocked overboard by a hogshead. According to an English traveller the very severe labor of loading and unloading steam boats in 1855 was done, for the most part, by slaves and Irishmen. The wages, he said, were from 7 to 8 pounds per month; but in times of great pressure from sudden demand they rose as high as from 12 to 14 pounds per month. Every day, he continued, was a working day, and as by law the slave was to have Sunday to himself to earn what he could, the master who hired him on the river was supposed to give him one-seventh of the wages he earned; but, as he understood it, they only received one-seventh of the ordinary wages or one pound per month.[75]

In other instances slaves were hired to do plantation labor. In 1801 Julien Poydras of Pointe Coupée noted the date on which a "mulatre" resumed work for him.[76] In 1822 a planter "Paid George W. Oldman balance due him for overseeing my plantation at Lafourche during the year 1821 and hire of 19 negroes during that period—$2,734.06." He probably paid about $7.50 per month for each negro. The context indicates that he had bought a plantation, probably this one, at Lafourche on August 1, 1821, and the 19 slaves may have been hired merely until he could purchase negroes in the market.[77] As an example of more temporary employment, Val-

[75]H. A. Murray, Lands of the Slave and the Free, or Cuba, the United States and Canada (London, 1855), I. 251

[76]Poydras, Ledger (MS), p. 147 (April 11, 1801).

[77]Note book of a Lafourche Planter, March 26, 1822. MS. in private possession.

cour Aime on a certain December 30 was "Cutting canes with fifty hired hands, in order to have my hands for unloading coal boat of a portion of the load, to float it nearer the shore."[78] It is probable that by that season of the year other planters had finished grinding and hence were able to furnish the laborers. It may be, too, that a part of the fifty were Acadians.

Surplus plantation laborers available for hire were supplemented by contraband slaves not immediately sent out of the country. In taking possession of these illegally imported slaves it had been the policy of the United States Government to transport them to the Liberian Republic, but in cases of delay in sending them back, they were frequently hired on plantations to lessen the expense of keeping them. As late as 1835, thirty-eight were leased out to Mr. John McQueen of St. Tammany Parish, and employed by him in his brick yard on the Tchefuncti River. Not infrequently the time lapsed and they remained in this country, in many instances preferring this to the anticipated rough passage to Africa.[79] When the planter leasing such slaves had no further need for them, he might sub-lease them, along with such others as he found to be temporarily in excess of his needs, to men advertising as follows:

"To Owners of Negroes

"Wanted—50 or 60 negroes to chop wood on a healthy plantation situated on the Mississippi River, above Natchez—to the owners of whom liberal arrangements will be made either to hire or embark jointly with the owner of the land.

For particulars apply to

"H. G. Heartt, 110 Poydras St."[80]

As to the wages of slaves hired out there has appeared very little information other than that given above. Under the Territorial Black Code planters employing slaves Sundays were expected to pay them at the rate of fifty cents per day.[81] At a later date planters owning slaves employed at the more dangerous work of closing crevasses on other plantations in the Parish of St. John received from the parish one dollar per day for each slave employed and the laborers were fed by the

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[78]Aime, Diary, p. 134 (Dec. 30, 1849).

[79]Eleanor Riggs, The Growth of the Institution of Slavery as an Integral Part in the Development of the Lower Mississippi, p. 91. MS. submitted as thesis in partial fulfillment, of the requirements for M. A. degree, Tulane University, 1912.

[80]New Orleans Weekly Delta, March 1, 1847.

[81]Acts of the Territory of Orleans 1806-1807 (June 7, 1806).

planter on whose property they were employed.[82] Neither of these instances, however, is typical of routine plantation labor. It appears that in the 'thirties and early 'forties plantation negroes were hired by the year at eight dollars per month and fed by the employer but clothed by the owner.[83]

2. Labor for Themselves

An important feature in the plantation regime which has been somewhat neglected was the slave's cultivation of "patches" on the plantation for his own account. Long before the development of the sugar industry it was stated that in Pointe Coupée Parish one negro would plant and attend two acres of indigo "and, withal, can raise his own provisions."[84] Carondolet's "Instructions" in 1795 ordered officials to "take measures to induce the planters of their district to allow their negroes a portion of their waste lands, by which they will not only add to their comforts, but increase the production of the province, and that time will be usefully employed which would otherwise be devoted to libertinism."[85] Old planters say that slaves in general were usually encouraged to cultivate their own patches and were sometimes whipped for neglecting patches, pigs or poultry. Available records substantiate this in regard to several of the best known plantations. Each of Bore's slaves was allowed to raise hogs, poultry, corn and pumpkins.[86] On Burnside's Houma Plantation "on the borders of the forest the negroes were allowed to plant corn for their own use."[87]

Fortunately statistics for the crops on one plantation have been preserved. In October 1837 Valcour Aime was, "Through breaking corn on the 18th, at midday, (4200 barrels), and began picking corn of plantation hands, in the afternoon; their crop amounting to fifteen hundred barrels."[88] Two years later their crop was somewhat better and amounted to 2300 barrels of corn and 100 cart loads of pumpkins. In 1840

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[82]Minutes of the Police Jury of the Parish of St. John for (1849 and) 1850, p. 26 (Aug. 9, 1849).

[83]J. A. Leon, On Sugar Cultivation in Louisiana, I, 75.

[84]DeBow's Review, III, 119 (Feb. 1847), quoting an old MS. of 1776.

[85]An Appendix to, An Account of Louisiana, p. 78.

[86]Gayarré, in Harper's Magazine, March 1887, p. 610.

[87]Russell, My Diary, p. 275.

[88]Valcour Aime, Dairy, October 18, 1837. By a barrel he probably means a measure in the ear and not the equivalent of five bushels of shelled corn.

Aime merely reported that he began gathering the corn of the plantation hands on September 28th. In 1841 he appeared to be well pleased with the results obtained by his hands. While he made 3600 barrels of corn and 54 loads of peas in the pod, "two acres of their corn yielded seventy-six barrels; their crop amounted to three thousand barrels of corn." The next year, "Some hands raised thirty-six barrels of corn to the arpent." In 1844 his hands made 2700 barrels of corn, but in 1846, "they hardly made six hundred barrels." In 1847 their yield was 2650 barrels. In 1850 their crops were gathered in October but no record appears as to the amount made.[89]

Slaves' patches were usually cultivated at night before time to retire, on Sundays[90] and, after the cane and corn crops were "laid by," on Saturday afternoons.[91] Valcour Aime appears to have permitted his negroes to gather their crops during regular work hours, as a rule immediately after he had finished his own. In 1842 the work was reported as being done on October 12, 13, 14, and 16 and no other work was recorded for those days.

It was less common but by no means unusual for slaves to have their own pigs and poultry—chickens, turkeys, geese and ducks.[92] Possession of a few such was a great temptation to steal others from the master and was sometimes prohibited for that reason. In some parishes the negroes owned dogs[93] while in other parishes or at other times the police jury prohibited their keeping dogs.[94]

There is abundant evidence tending to show that large numbers of the more successful planters, probably a majority of all planters, did encourage their slaves to cultivate "patches" of their own. There has been a great difference of opinion as to why planters did so. The soundest interpretation seems to be that though the master might expect to furnish sufficient food and clothing to enable his slaves to perform their duties

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[89]Valcour Aime, Diary, October 20, 1839; October 8, 1841; October 10, 1842; October 8, 1844; October 8, 1846; September 29, 1847; and October 6, 1850. Aime had about 215 slaves on his plantation in 1853.

[90]James Pearse, A Narrative of the Life of James Pearse (Rutland, Vermont, 1825), pp. 81-82.

[91]Olmsted, Seaboard Slave States, p. 682.

[92]Harper's Magazine, 1887, p. 610; Berquin-Duvallon, Travels in Louisiana and the Floridas in the Year 1802 (tr. by John Davis), p. 90; Russell, My Diary, p. 273.

[93]T. B. Thorpe in Harper's Magazine 1853, p. 746 ff.

[94]J. H. Rill, New Digest of the Laws of the Parish of Iberville, (1859), pp. 32 ff.

efficiently, he knew that giving permission to seek larger quantities or a greater variety of food and clothing would tend to lessen dissatisfaction, to diminish need of discipline and to increase the general welfare of his negroes. It appears that a part[95] or all[96] of the crops, the pigs and the poultry were usually sold to the master or to some one else in order that the slaves might "purchase what they term Sunday clothes, or other comforts, such as tobacco and other small articles, not allowed by their masters."[97] An earlier traveller's explanation was that the negroes secured fresh meat by hunting in the fields and neighboring swamps and hence preferred selling their fowls and hogs, which he understood were too delicate for them, to buy clothing and taffia.[98]

Other money was earned by slaves along the river by fishing,[99] cutting drift wood for sale to the master or to steamboat captains, by assisting in the loading and unloading of boats or in "wooding up," and by "tracking" boats through difficult passages. If the work was dangerous a general order was issued against engaging in it, but on at least one plantation slaves "were allowed to earn something for themselves, on work-days after they had performed their tasks, at night, and on Sunday notwithstanding a general order which had been given to the contrary."[100] The owner of these slaves had on one occasion stated that his slaves worked all day, and had only the night to make something for themselves, and he thought it "hard" to prevent them.[101]

On still other plantations money was given to slaves on occasion. Olmsted told of a planter whose custom it was to divide among his negroes at Christmas a sum of money equal to one dollar for each hogshead of sugar made on the planta-

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[95]Russell, My Diary, p. 275.

[96]Olmsted, Journey in the Seaboard Slave States, p. 682.

[97]James Pearse, Life, pp. 81-82. Russell reported similar customs on the plantations of Burnside and Governor Roman.—My Diary, p. 258, 273.

[98]Berquin-Duvallon, Travels, p. 86, 90.

[99]Gayarré in Harper's Magazine, 1887, p. 610 ff.

[100]Louisiana Reports 8 Martin 590 (n. s.) Morgan Syndics v. Fiveash (1830).

[101]Privileges of labor for themselves were allowed to slaves on Bayou Cotonniere Plantation. There accounts of surplus work credited and luxuries debited to each slave were kept. Credits were given for loads of wood, $.50 each, "garde poules, $.25," pounds cotton picked (above a certain amount per day probably) $.50 per hundred, cutting sugar cane, etc. These credits sometimes amounted to several dollars per month with some slaves. Against them were charged tobacco, handkerchiefs, extra pants, candles, knives, flour, rice, sugar, and soap.—MS. note book of Bayou Cotonniere Plantation, 1851-1861, in Howard Library, New Orleans. For this note I am indebted to Professor U. B. Phillips of the University of Michigan.

tion that year. It was usually given to the heads of families. If any had been particularly careless or lazy, it was remembered at this Christmas dole. The plan was said to be a very satisfactory one,[102] and other masters adopted similar plans.[103]

It does not appear that there were numerous instances in which slaves on sugar plantations accumulated much money or property. Under special guidance numerous slaves in and about New Orleans saved enough to purchase their freedom; instances of such in the rural districts have not been found in making the present study. It is probable that they spent their money as soon as it was earned. In fact their financial operations were very limited. Carondolet prohibited slaves from owning horses[104] and under the black code of 1806 it was enacted that without consent of his master no slave could possess anything in his own right.[105] By a subsequent section it was required that no slave should be permitted to hold any barge, pirogue, or boat, or manage or bring up for his own use any horses, mares or horned cattle.[106] Such regulations together with the usually improvident nature of the negroes make it appear very probable that most slaves failed to accumulate property.

3. Disposition of Their Own Earnings

One of the great annoyances to planters in the sugar district—particularly to those permitting slaves to cultivate land for themselves—was the nuisance of petty traders dealing with slaves. These traders usually went in boats, "tied up" at night at the river bank adjoining the negro quarters, persuaded the slaves to sell to them whatever they owned or could steal and then rowed away whenever they had secured their booty, leaving little trace or chance of detection.[107] They were so vexatious that they became known as "chicken thieves" and were sometimes roughly handled. Even the enactment of stringent laws did not secure relief from the nuisance. If left unchecked they would have encouraged the theft of all salable plantation produce and mill fixtures to which the negroes could get access. Since many of the slaves possessed barter of their own

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[102]Olmsted, Seaboard Slave States, p. 660.

[103]James T. Edwards (ed), Some interesting Papers of John McDonogh, (Md., 1898), p. 61.

[104]An Appendix to An Account of Louisiana, p. 80.

[105]Acts of the Territory of Orleans 1806-1807 (Act of June 7, 1806, section 15).

[106]Ibid., section 38.

[107]Olmsted, Seaboard Slave States, p. 674.

the situation was all the more troublesome. The planter's corn, chickens, turkeys, ducks, eggs and even pigs could easily be sold with those of the slave and none would be the wiser. For these and any salable parts of machinery upon which the slaves could be induced to lay hands was exchanged a mere pittance of cheap finery, or of whiskey, or of money. Trading on a cash basis was somewhat safer for both parties concerned because the fact that some slaves were accustomed to securing money from their masters occasionally, for the sale of produce or otherwise, tended to allay suspicion when one offered to pay money to a local merchant. The slaves' predilection for liquor, however, and the difficulty with which this was obtained from local dealers enabled that itinerant trader to drive the best bargain who was the most ready to pay in whiskey.

Slave owners learned from early experience that permitting indiscriminate trading with slaves would breed trouble. Carondolet's "Instructions" of 1795 prohibited the purchase of anything from slaves, even the product of their waste lands, without the permission of their master.[108] The black code of 1806 denied permission to slaves to buy, sell or trade any kind of goods other than that of the master properly specified as to quantity and quality in a permit signed by the master or whoever had charge of the slave. The penalty was forfeiture of the goods. This or a similar law remained on the statute books until the 'fifties.[109] Trading with slaves probably increased and punishment of the slave became an inadequate check. In 1855 it was made a high misdemeanor to sell to or receive from slaves any spirituous liquors or any other produce whatever, without the written consent of the owner, overseer or employer of the slave. The penalty was a fine of from fifty to five hundred dollars and from one to twelve months in jail. Moreover, such presumptive evidence was admitted as would tend to insure conviction.[110]

The laws directed against general trading with slaves were probably considered an insufficient protection against the dangers arising from drunkenness among slaves. Accordingly other laws were enacted, sometimes merely strengthening the former but often aimed more specifically at the gift or sale of liquor to slaves, and stipulating somewhat heavier penalties.

[108]Appendix to An Account of Louisiana, p. 86.

[109]Acts 1827, 56, I; 1852, p. 225 (March 18).

[110]Acts of Louisiana, 1858, 308, section 23 (March 15); and 1857, 232 (March 19).

In 1806 the penalty for selling intoxicating liquor to slaves was made twenty dollars plus any damage the master may have suffered from the intoxication of the slave. As the number of slaves increased and peddlers and river traders became more numerous the laws were made more stringent. By 1852 the law as amended in 1832, 1845, and 1848, specifically prohibited "any trader, peddler, hawker by land or water, tavern or grog shop keeper, or any master or owner, or any hand employed on board of any flatboat, or any water craft whatever, or any other person whatsoever," from giving or selling liquor to slaves without the consent of the master. The penalty was a fine of from two hundred to four hundred dollars for the first offense, and from four to eight hundred for the second offense, and the cost of prosecution.[111] It has been shown already that imprisonment was included in the penalty in 1855.

Laws against trading with slaves, however, were, like certain other laws of the time, enacted for use merely as occasion demanded. They were usually ignored by planter and local merchant when a slave was known to be reliable or when he was on business for his master.[112] Planters resented interference with slaves on such errands and considered it a personal offense.[113] The more reliable slaves were too useful, and too well known, as errand boys, to necessitate strict adherence to the law.

When slaves were sent to make a purchase of a merchant with whom the planter had an account an order was sometimes sent signed by the overseer. The following is an example:

"October 10th. 1819
Mr. John, Cathelong
Sir Please to send by a Negro
Named Rubin 2¼ Galls. of Whiskey and please [place] to the acct. of
Mr. George Mather in doing so
you will oblige me
Walter, Radford."[114]

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[111]Pierce, Statutes, p. 555.

[112]The same was true in South Carolina.—Henry, Police Control of Slaves in South Carolina, p. 80.

[113]Statements of elderly persons now living.

[114]Others for the same amount are dated March 7th and Nov. 23rd of the same year. The one of March 7th also requests three pounds of candles while a fourth dated October 5th is for three pounds of sugar. For the originals I am indebted to Miss Louise Trureaud of Union, Louisiana, a granddaughter of Mr. Mather.

There are numerous instances to be cited as examples of slaves' being sent on such errands.[115] Unfortunately many records do not show whether a written permit was exhibited by each slave. Other slaves were called upon to play a more important role than that of delivery boy. John McDonogh stated that his slaves were men of business, enjoyed his confidence, were his clerks, transacted all his affairs, made purchases of materials, collected his rents, leased his houses, took care of his property and effects of every kind, and that with an honesty and fidelity that was proof against every temptation.[116]

The evidence available indicates that other masters had less faith in the integrity of the bulk of their slaves than McDonogh had in his. They learned from experience that it was wise to lessen the temptations for their slaves to engage in petty theft. This was done by restricting the activities of those through whom slaves might dispose of their pilfered produce. The law could be winked at in order to prevent inconvenience in legitimate trade and invoked to curtail that which was illegitimate.

Even utmost precautions did not prevent occasional depredations by slaves at the behest of the unscrupulous "chicken thieves" who offered such a safe and convenient market. According to Olmsted one planter, "to show how vexatious the evil was, mentioned that a large brass cock and some pipe had been recently stolen from his sugar-works and that he had ascertained that one of his negroes had taken it on board one of these boats for seventy-five cents, and had immediately spent the money, chiefly for whiskey, on the same boat. It had cost him thirty dollars to replace it." Another planter "had lately caught one of his own negroes going towards one of the chicken thieves * * * with a piece of machinery that he had unscrewed from his sugar works, which was worth eighty dollars, and which might very likely have been sold for a drink. If the negro had succeeded in reaching the boat, as he would if he had not been on the watch, he could never have recovered it. There would have been no witness to the sale; the stolen goods would have been hidden on board until the boat reached New Orleans; or if an officer came to search the boat, they would have been dropped into the river, before he got on board.[117] It

[115]MS. Ledger of Julian Poydras.

[116]Edwards, McDonogh Papers, p. 62 (letter July 10, 1842).

[117]Olmsted, Seaboard Slave States, p. 674.

is probable that in both instances the boatman escaped and the negro received the punishment.

Other river traders were less fortunate. In one instance a suit grew out of a case where the "plaintiff, who from habitually and illegally trafficking with slaves, had become a nuisance to the neighborhood, was forcibly removed from a shanty occupied by her in the defendant's plantation; her person and property sent adrift on a flat boat; and the shanty burned. The outrage, committed by defendant's slaves under orders of his overseers assisted by strangers was not advised nor procured by him."[118]

[118]Louisiana Reports 13 A. 445 (Boulard v. Calhoun, in 1858).

V

THE NECESSITIES OF LIFE

1. Housing.

Since the river or the bayou on which the plantation was located was the "front," the typical planter's residence was only far enough removed from the levee to leave room for an open lawn and driveway from the landing to the house. Clustered at the side and in the rear of the planter's home were an "office," a dovecote, a carriage house, a smokehouse, and cabins for the domestic servants—these all within a single enclosure. Back of a board or paling fence enclosing the residence and its appurtenances, rows of cabins ran back to the overseer's home next to the sugar house. The sugar house was plantation headquarters and around it was centered plantation activities, winter and summer.[1] Near it was the big bell to signal the slaves, and to it or the nearby barnyard reported all hands for the forming of the gangs. Thus all was convenient. The cabins faced the street or the road leading to the sugarhouse and their neatness and symmetry, or lack thereof, as the case might be, was an index to the type of the planter responsible for them.

A typical cabin consisted of a one story building divided into two, or more often into four, rooms—two larger ones in front and two smaller ones in the rear. This accomodated two families[2] unless one became unusually prolific. Each family occupied a front room and a small back room. The former was the bedroom, sitting room and "parlor" while the latter was a kitchen and dining room when slaves did their own cooking, or, when meals were served at the "big kitchen," the backroom served as a bedroom. Sometimes it had to serve as kitchen, dining room, and spare bedroom. The two families were divided by a partition—usually there was no hall—and between the two large rooms was a common chimney with a fireplace facing each room. On some plantations there was a chimney at each end of the cabin instead of one in the middle. Occasionally there was a "gallery" or porch.[3]

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[1]Russell, My Diary, p. 273.

[2]Stone, Diary (MS), March 17, 1852; Harper's Magazine, VII, 746 ff.

[3]Olmsted, Seaboard Slave States, p. 659.

On some plantations the sugar house, negro cabins, cisterns and dwelling-house were all of brick.[4] Other planters believed that the very brick houses were by their dampness becoming the cause of much illness among them. They believed this was why their negroes had become less hardy and long-lived than their ancestors, and the result was a determination to return to the use of the wooden cabins.[5] Brick were reasonably cheap since they could be made by disabled negroes and by the light gangs, while timber, though abundant, was not easy to saw. But the prejudice against brick quarters, along with the abundance of timber for building purposes, caused frame cabins to be rather generally built.[6] Making shingles and framing cabins was sometimes the task of one or more negroes for weeks at a time.[7]

The sugar planter's negroes, like many of the whites of the South, did not need to fear that the children would break the windows. Openings were covered with wooden shutters[8] which served alike to keep out the dreaded night air, and to secure the negroes' ever-coveted privacy at meals as well as security from his curious and sometimes dangerous fellows. Inside of the cabins one found rather crude bedsteads for the older members of the family, and smaller beds, boxes or pallets on the floor for the children. The mattresses were made of grass, rice straw or Spanish moss. The spare clothing of the family hung on nails or pegs driven into the walls. In the "side-room," as the smaller room was called from the fact that it had the appearance of being an addition built to the side of the main room, was a rough table on which were the scanty table-ware and cooking utensils. For purposes of convenience the larger room was sometimes used as a combination kitchen, dining room and bedroom while the side room became a second bedroom. This arrangement commended itself on account of the necessity of cooking at the fireplace. "Swarms of flies, tin cooking utensils attracting them by remnants of molasses, crockery, broken and old, on the dressers, more or less old clothes on the wall, these varied over and over again, were found in all the huts."

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[4]"For Sale" advertisement in a Thibodeaux, La., paper, April 2, 1851.

[5]Judge P. A. Rost, Sugar, Its Culture and Manufacture, Discourse before the Agricultural and Mechanics Association of Louisiana, May 12, 1845 (Hahnville, La., 1876).

[6]Russell, My Diary, p. 273.

[7]Stone, Diary (MS), Feb. 25; March 17 ff, 1852.

[8]Russell, My Diary, pp. 256 ff (visit to the plantation of Governor Roman).

An almost constant use of the fireplace lessened the need of blankets in winter and increased the negroes' chances against mosquitoes in summer. A mere handful of smouldering trash served to discourage the mosquitoes and to give a meagre light in the early summer evening. In winter when it was colder and when more light was needed the amount of fuel was increased. As spring approached and the master demanded that the trash and filth around the cabins be cleaned up before the approach of dangers of disease in the summer, things took on a different aspect. The premises were thoroughly swept; the trash burned; the houses white-washed with lime; and the pigpens back of the houses were cleaned. The planter knew that lack of sanitation would mean loss of valuable time and perhaps valuable slaves. It was an item which if neglected would soon loom large in his expense account—an item probably overlooked by many of the less systematic planters and occasionally by more prosperous ones.[9]

2. Food and Water.

The choice of rations for slaves was an ever-present problem for a planter. He had to bear in mind the cost of the food, the supply available, its fitness for laborers and, finally, at least a minimum variety to lessen danger of disease. Unfortunately too few of the planters understood the necessity of variety in diet, or too many were unable to secure it. According to a Louisiana physician, "The diet of negroes on most plantations being mostly salt pork, corn bread, and molasses—rarely eating fresh meat and vegetables—a condition of the system is thus produced closely allied to scurvy."[10] He apparently over-emphasized the lack of variety, but at best it was unsatisfactory. Planters were more careful about the quantity than the variety of food. It is not probable that slaves were generally underfed. Planters expected profit and could not expect such from starving slaves. The evidence available indicates that slaves usually received fixed amounts of meat, meal and molasses, with an occasional addition of fish for breakfast, and that to this was often added vegetables from a plantation garden or, more often, from the small gardens or patches which the slaves were permitted to cultivate for themselves. Unfortunately, as

[9]Russell, My Diary, p. 257.

[10]Southern Medical Reports (New Orleans, 1849), I, 190.

has been shown above, negroes often preferred to sell the product of their patches for tobacco, whiskey and "Sunday clothes."[11] Some of the most progressive plantations even furnished milk.[12]

Methods of distribution of food were various. Families drawing fixed weekly rations from the plantation commissary and doing their own cooking of this food supplemented by the product of their own patches felt more independence and were more contented. They had, however, the task of preparing their meals during their hours of rest. Some planters, though knowing that their slaves preferred to cook for themselves, held that it was better to have the food cooked at a general kitchen, since there were always some negroes on every place who were too careless and indolent to cook their food properly and who consequently ate it burned, half cooked, or entirely raw.[13] Even on those plantations where families were permitted to do their own cooking, slaves unattached to families sometimes preferred to eat at a general kitchen. Moreover, it was not always convenient to have the slaves cook their own breakfasts. Therefore most planters found it advisable to have a "big Kitchen," to which cooks were assigned to attend the preparation of breakfast for all field hands, and of other meals for those so preferring.[14]

The negroes were sent to the field before sunrise and their breakfast was carried to them about eight o'clock. A visitor on Governor Roman's plantation noticed a cart taking breakfast to the field hands. Among the contents were a large water cask, a bucket full of molasses, a pail of hominy or boiled corn, and a quantity of tin pannikins. He was told that each usually had a dried fish also. The food was ample and looked wholesome; such as any laboring man would be well content with.[15] According to John McDonogh his slaves were fed with good salt provisions and corn bread, with plenty of garden vegetables cooked with pork.[16]

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[11]James Pearse, Life for Five Years in La. and Miss., p. 81.

[12]Valcour Aime notes that on October 8, 1835 he "stamped eighty-six calves, the folding of one hundred and twenty cows on the place."—Diary, p. 42; William Dunbar of the cotton district near Natchez observed about the year 1800, that most of his neighbors furnished milk to their slaves.—Claiborne, Miss. as Province, Territory and State (Jackson, Miss., 1880), I, 144.

[13]DeBow's Review, XXV, 571 (1858).

[14]"Carpenters framing kitchen etc.,"—Stone, Diary (MS) Dec. 11, 1848.

[15]Russell, My Diary, p. 262.

[16]Edwards (ed), Some Interesting Papers of John McDonogh, p. 61.

In theory a slave's rations were insured by official regulation or law. Carondolet's "Instructions" of 1795 were that each slave should receive punctually a "barrel" of corn each month.[17] This quantity, according to the statement, was allowed by the custom of the colony and was voluntarily increased by most owners. Officials were instructed, by the same order, to induce planters to allow their slaves waste lands for cultivation.[18] A similar policy was followed under later laws.[19] It was declared in an act of the legislature that no inhabitant might relieve himself of the obligation of feeding his slaves by permitting them to work certain days in the week for their own account instead of depending upon him for food.[20] Here again, however, the law probably was considered a weapon for emergencies but not an instrument for constant use. Other influences were a more powerful safeguard for the welfare of the negro. While most planters probably were considered humane, law-abiding citizens it was rather upon economic considerations that the welfare of the slave depended. If his food was such as enabled him to maintain his health and perform efficient labor there was no more ado. Each planter set his own standard of food, health and efficient labor. It would be surprising if none could be found whose ideas were not in accord with those of more progressive neighbors. Indeed early travellers' accounts frequently mention the scant quantity and quality of food furnished slaves in the sugar districts.[21] Examination discloses, however, that their criticism is usually caused by their attitude toward the institution of slavery in general and by the failure of the slaves' rations to compare favorably with food of their own standards of living. It is probable that slaves in the sugar district were fed as well as those in other regions, if not better. Their labor was more arduous and necessitated more substantial food and more extra provision by way of encouragement.[22]

The creole planters and the American planters each charged the other with poor treatment of slaves.[23] It is prob-

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[17]Probably a barrel full of corn in the ear.

[18]An Appendix to an Account of La., pp. 78 ff (Carondolet's order of June 1, 1795).

[19]Acts of the Territory of Orleans 1806-7 (June 7, 1806); Martin's Digest (1816), I, 601 ff.

[20]Ibid., Section 6.

[21]Perrin du Lac, Voyage, p. 410; C. C. Robin, Voyages, III, 173; Berquin-Duvallon, Travels in La., p. 90; James Pearse, Life in La. and Miss., p. 81.

[22]Dr. Stone "Planted mellons etc." on March 17, 1849.—Stone, Diary (MS).

[23]Olmsted, Seaboard Slave States, p. 650.

able that members of each class stinted, and cut expenses when beginning operations or when in financial difficulties. The smaller creole planters were reputed to be poor managers and in need of immediate returns,[24] though more intimate relations existed between their families and the slaves.[25] On the other hand the Americans were said to be grasping and harsh until they began to succeed at their new business. As a general rule it is probable that the planters of large scale, regardless of nationality, provided for their slaves more adequately than the small proprietors. The greater the plantation the greater was the need of a system which would insure the good conditions of slaves.

Statements as to the food allowance vary from a peck of corn and three pounds of meat per week for each hand[26] to seven pounds of meat for full-grown hands and two or three pounds each for children, with corn or meal as needed. Burnside gave each negro five pounds of meat per week and as much corn bread as he could eat, with molasses and fish for breakfast occasionally.[27] There were 115 slaves taking rations at the Belle Alliance Plantation in 1837. Nine couples who had no children drew 14 pounds (of meat, presumably) to the couple. William and Peter apparently lived together and drew 14 pounds as their rations, and Moses and Bob did likewise. Narcisse and Harriet, it seems, were the only two women unattached, and together drew 14 pounds per week. In the family of Pierre, the foreman, there were besides himself and Felicite, his wife, Quarni, Lucy, Esther, Tom, Narcisse and three children—these last being listed by the side of Tom's name though probably for convenience. The group of ten drew 55 pounds. With Raphael, "yard factotum," and Phine, his wife, there lived Eulalie, Francois and six children. These ten drew 42 pounds. Benedict, his wife and three children were allowed 25 pounds. Most others drew about 7 pounds for each adult and 3 pounds for each child.[28]

When the cultivation of the crop was finished, planters without steady summer work for their slaves sometimes re-

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[24]Major Amos Stoddard, Sketches of Louisiana, (Philadelphia, 1812), p. 332.

[25]Russell, My Diary, p. 278.

[26]Henderson's Will (MS), Book of Wills No. 6, Orleans Parish, p. 37 (Aug. 1 1837); Pearse, Life in La. and Miss., p. 81.

[27]Russell, My Diary, p. 275.

[28]"List of the Slaves Taking Rations, Belle Alliance Plantation 1837" (MS) for which I am indebted to Miss Louise Tureaud, Union, Louisiana.

duced the meat allowance.[29] Molasses, too, was sometimes prohibited in extremely hot weather since it was considered injurious to the health of the negroes in such seasons.[30] Most planters, however, were able to provide steady employment for their slaves and did not feel called upon to reduce their rations greatly during the summer. As the strenuous grinding season approached, extra rations were served to increase the strength and good will of the slaves. Olmsted was told that flour was issued at that season, and that hot coffee was kept consantly in the sugar house where the slaves on duty were allowd to drink it almost at will. They were also permitted to drink freely the hot syrup of which they were extremely fond and which was believed to have wonderful curative properties. All agreed that at the grinding season the hands became fat and healthy though there were different opinions as to the exact cause of it. Dr. S. A. Cartwright held in 1852 that the generally accepted theory attributing it to eating sugar and drinking juice and syrup was incorrect. He believed there were peculiar properties in the very air inside the sugar house and stated that while either whites or blacks fattened if working constantly inside the sugar house, neither were found to do so if working outside permanently. He observed, too, that neither slaves in the boiling room nor those working in the field could get sugar and condensed syrup without special permission.[31]

By no means the least item in the provision for the welfare of slaves was the water supply. The fact that the land was low and surrounded by marshes made the problem the more difficult. Without modern processes of filtration the use of water from the Mississippi, from bayous or from stagnant lagoons was fraught with fearful consequences. Cistern water was found to be the purest and best. A physician in the lowlands of Louisiana during the cholera epidemic of 1849 and 1850 observed that "those places on which cistern water alone was used, were nearly exempt from the dreadful disease. * * * On one plantation, where the disease made fearful havoc, until the negroes were removed to the woods and given cistern water, it was ascertained that it was their custom to make use of stagnant water from a lagoon near the quarter."[32]

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[29]Pearse, Life in La. and Miss., p. 81.
[30]Olmsted, Seaboard Slave States, p. 660.
[31]S. A. Cartwright, Curative Virtues of the Sugar House.—In DeBow's Review, XIII, 598.
[32]Ralph Butterfield, in DeBow's Review, XXV, 571.

3. Clothing.

In a climate such as that of the sugar district of Louisiana the matter of clothing for laborers was of far less importance than problems of food and water. During several months of the year the wearing of more than the scantiest clothing was rather a custom than a comfort to the slaves. They saw no reason to give undue adherence to an uncomfortable custom, and their economic considerations encouraged masters to humor their whims. Their garb was therefore composed of garments durable but large, loose and few. In 1817 it was the opinion of a majority of the members of the Louisiana legislature that prisoners should "at the beginning of the winter season, be allowed each one blanket capot, one shirt, one pair of woollen trousers, and one pair of coarse shoes, and a shirt and pair of trousers of coarse linen for summer."[33] The clothing necessary for all laborers was very similar, and the wardrobe of a slave was not far different from that provided by the state for prisoners, a large part of whom were themselves slaves. To be specific, slaves who did not have patches to cultivate on their own account were, by law, entitled to receive from their owner "one linen shirt and pantaloons for the summer, and a linen shirt and a woollen great coat and pantaloons for the winter."[34] Each slave was commonly given two suits a year. In the spring he received a shirt of coarse linen or osnaburg or other material, and a pair of light pantaloons. In the fall he received coarse woollen pantaloons, a shirt, a jacket (and on some plantations a blanket coat), a pair of shoes, and a blanket. The dress of the women was of similar material and quantity.[35] The coarse material gave their cloth-

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[33]Acts of the Louisiana Legislature, 1817, p. 206.

[34]Acts of the Territory of Orleans 1806 (June 7); Martin's Digest (1816), I, 601 ff. The Spanish Government had required planters to provide two brown shirts, a woolen coat and pantaloons, a pair of linen pantaloons and two handkerchiefs for each male, and suitable dress for females.—Gayarre, La., III, 313. Early runaways are described as dressed: one in waistcoat and breeches of blue "limbourg"; another in a pair of striped cottonade pantaloons, a dark gray waistcoat and "capot de courverte," or hooded blanket coat; a third was dressed in a capot de courverte, a white shirt, blue "melange" pantaloons and a small black hat.—Supplement to No. 335, Monitour de la Louisiane (March 19, 1803). In April of 1842 a negro named Ned was said to be wearing white linsey pants and roundabout, and a black wool hat. Charles wore a broad brimmed white fur hat, mixed linsey jacket and white linsey pantaloons; Nancy, wife of Charles, had on a mixed linsey dress.—Daily Picayune (New Orleans), April 9, 1842.

[35]James Pearse, Life in La. and Miss., p. 82. According to accounts of clothing distributed to each slave on the Bayou Cotonniere Plantation from about 1851 to 1861 each man received spring and fall one pair of pants, one shirt, one hat and one pair of shoes. Each woman received one robe, one chemise, one chapeau, and one pair soliers. Lists were checked off each April and October.—MS. Account Book of Bayou Cotonniere Plantation, in Howard Library. For this note I am indebteded to Professor U. B. Phillips of the University of Michigan.

ing the appearance of being too heavy for the climate. Coarse straw hats or bright colored handkerchiefs were frequently worn on the head in summer, and they either went barefooted or wore ponderous ill-made shoes.[36] In winter shoes were necessary and were purchased ready-made or, more often, were made on the plantation. The home-made shoes were called "quantiers" and were heavy and clumsy. In the early days the negro planted his foot on an oxhide that had undergone a certain preparatory process to soften it. Another negro cut the hide, supposedly according to the shape and size of the foot, leaving sufficient margin to overlap the top of it up to the ankle. Holes were bored into it, and with strips of the same leather the shoe was laced to the foot. The foot in a woollen sock, or even bare, when encased in a "quantier" stuffed with rags or hay was kept reasonably warm and dry.[37] In later days less primitive methods of manufacture were taught the plantation shoemakers.

Negro children, like many of the poor white children in the warmer parts of the South, went barefooted summer and winter. Only in the coldest weather were old socks or other substitutes for shoes resorted to. They were usually dressed in a single garment, a sort of sack or shirt,[38] particularly if they went beyond the limits of the quarters. Otherwise in summer it was not imperative that smaller children should wear anything at all.

Since much of the outside labor on a Louisiana plantation was such as would necessarily keep the clothing of the negroes wet during much of a clear dewy morning and throughout the numerous rainy days, water-proof sacks were devised for their protection. To make the sacks needed by a planter owning fifty or a hundred negroes twenty gallons of linseed oil was boiled with three pounds of litharge. An overcoat or sack to be dipped into this was made from common cotton cloth, called domestic, long enough to reach below the knees and made to be closely buttoned up in front. This garment was dipped into the hot oil, wrung out, hung in the sun for a few days and was then "completely water-proof, an over-coat for the negro, secure against storm or tempest, impervious to the wintry

[36]Russell, My Diary, p. 262.
[37]Gayarré, in Harper's Magazine, March 1887, p. 610.
[38]Russell, My Diary, p. 257.

winds, or the chills of the nights. It * * * cost less than sixty cents per sack, and last [ed] one or two years."[39]

Especially favored slaves, or those able and willing to save money from the product of their patches and from extra work, secured "Sunday clothes" of more or less fancy cut and color.[40] Domestic servants, in particular, were influenced by their closer contact with the whites and for the sake of neatness and cleanliness were encouraged to imitate the manners of dress of their owners. A negro dance sometimes presented no mean array of dresses handed down by the "white folks," and of gaudy sashes and handkerchiefs[41] purchased by the negroes themselves.

Most of the rough clothing of slaves was ready-made. The stock of goods by a merchant catering to plantation trade is illustrated by an advertisement in a New Orleans paper:

"Plantation Clothing, Blankets, etc etc.
The subscribers have in store a large supply of
plantation clothing,
Just opened consisting of
Kersey Monkey Jackets and pants.
Red, Blue and Gray Flannel Shirts.
Hickory Shirts.
Womens Frocks, Joseys and Shirts.
also
White and Gray Blankets
Wool Socks and caps
Black and white wool hats and Glazed hats."[42]

Some planters, however, found it expedient to have their negroes raise cotton, spin, weave, and make the clothing required on the plantation. Still others ordered bales of cloth and had the clothing made by the negroes. On August 22, 1822, a Lafourche planter made an enlightening entry:

"Paid for 2 pieces kerseys 81 yd. @ 50c $ 40.50
Paid for 1 pieces kerseys 43 yd. 21.75
Paid for 4 pieces Linseys 134¾ @ 55c 74.12
Paid Exp. shipping from Philadelphia 1.62

137.99"[43].

[39]DeBow's Review, XIV, 512.
[40]Pearse, Life in La. and Miss., p. 81.
[41]Russell, My Diary, p. 256.
[42]The Daily True Delta, November 26, 1857.
[43]Notebook of a Lafourche planter (MS), in private possession.

4. Care of the Sick and Helpless

Rearing the young and caring for the sick and the disabled was not overlooked on sugar plantations. This became a burdensome duty in times of emergency. The African slave trade was abolished soon after the introduction of the sugar industry. This prevented the yaws and other diseases of the kind brought from Africa and mentioned as prevalent in Louisiana colonial history[44] from being prevalent on sugar plantations. But there were other sources of danger. Slaves were sent to the lower Mississippi valley from widely distributed districts and of course most owners of unsound slaves were glad to dispose of them to those willing to waive warranty as to health. Moreover, it was difficult to hold dealers responsible for the introduction of measles, mumps or other ailments not chronic, and which might have been contracted en route. Hence planters sometimes found their whole gang infected by newly purchased negroes. Further, there was often sickness due to local conditions. Epidemics of cholera took off slaves by the thousand.[45] It kept planters constantly in fear of its approach; it sometimes kept almost the whole gang from the cultivation of the crop,[46] and even bankrupted the planters. Other troublesome maladies were fevers,[47] lung troubles, scrofula,[48] dysentery,[49] yellow fever,[50] and "dirt-eating," a product of what is known as the hookworm disease.

The disease of which dirt eating was a symptom, rather than a cause as was then often believed, could be contracted either directly through the mouth or through skin infection. Water, or food that had been contaminated with infected mud or water, might become the source of infection. Penetration through the skin, however, was practically the only source of the disease. The habit of going barefooted gave ample op-

[44]DuPratz, History of Louisiana, II, 257ff.

[45]It was estimated that the loss of Louisiana by the death of slaves from cholera in 1833 was $4,000,000.—Niles Register, XLV, 84.

[46]Cholera appeared on Valcour Aime's plantation in May 1833. Out of a large gang he had "twenty-six hands only in the field on 28th." On June 7th he had only seven hands hoeing. He had lost three slaves and stated that the disease was very violent.—Aime, Diary.

[47]V. Aime noted September 20, 1851: "Fever prevailing among the plantation slaves." On October 15 the condition was unchanged. "On one plantation as much as one ounce of quinine was administered in one day."—Ibid.

[48]Cartwright in DeBow's Industrial Resources, II, 315ff.

[49]Berquin-Duvallon, Travels, p. 90.

[50]"A considerable number" of slaves were lost from yellow fever on sugar plantations in 1854.—DeBow's Review, XVII, 42.

portunity for infection through the skin of the feet. Within a few weeks the little worms had found their way into the blood, thence to the heart, to the lungs, into the throat and then through the stomach to become lodged on the walls of the intestines.[51] With all these dangers to be guarded against it is not surprising that many planters and overseers considered "sickness amongst the negroes" their greatest trouble in the management of plantations.[52]

By the code of 1806 slaves disabled through old age, sickness, or any other cause, whether their diseases were incurable or not, were to be fed and maintained by their owners. Those who were sick were to have all kinds of temporal and "spiritual assistance" which their situation might require.[53] The provision was probably aimed particularly at any who might be disposed to cast off those who were old, helpless and incurable. Ordinarily the interests of the planter prompted him to have careful attention given slaves whose illness was not chronic. Both time and the life of the negro were too valuable to be lost by carelessness.

Most planters, therefore, secured the services of a physician, when feasible, for serious illness. Unfortunately the country physicians of the time were poorly equipped.[54] Their

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[51]The hookworm disease has been known as such for only 20 or 25 years.—George Dock and Charles C. Bass, The Hookworm Disease (St. Louis, 1910); Duncan, a Louisiana physician, spoke in 1849 of a very common anemia among negroes on plantations, "very often attributed, and perhaps justly so, to the pernicious habit of dirt eating." The proportion of severe cases was not large. He said, "Almost every large plantation has three or four, and sometimes more. Until the vital powers of the system are beginning to be undermined, no marked symptoms of the disease being visible to the eye of the planter, they are generally suspected of laziness or malingering." He then described the later symptoms and concluded: "Many of these cases are, doubtless, produced and aggravated by the deleterious habit of dirt eating. But I never heard a negro admit that he was addicted to the habit. Some admit that formerly years ago, they ate dirt, but do not now; and others, trusty, truthful negroes on all other subjects, on this will lie most pertinaciously to the last, unless detected in the act." He spoke of the use of masks, iron gags, and chaining to the floor to correct dirt eating.—Duncan, On the Diseases in St. Mary's Parish.—In Southern Medical Reports (New Orleans, 1849), I, 190ff.

[52]DeBow's Review, XXV, 571. Diaries and notebooks have frequent entries as to the health of slaves; e. g., J. P. R. Stone, Notebook, in 1849: "July 25th * * * Sick list fortunately quite small. * * * July 29th * * * Sick list very much increased. 8 men & 1 woman sick. * * * August 24. * * * Sick list, not very large. * * * (1852) March 8th * * * Health on both places has so far been very good. * * * July 14 * * * Sick list continues large, from 12 to 15 all the time"; Valcour Aime's Diary has several entries on the same subject: May 28 and June 2, 1833; May 2, 1834; May 11, 1835; September 20 and October 15, 1851.

[53]Acts of the Territory of Orleans 1806-7, No. 150.

[54]One physician thought that the cause of the great loss of slaves from yellow fever in 1854 was due to the fact that it had not appeared in the rural districts before and the physicians there were thus not familiar with the treatment.—DeBow's Review, XVII, 42.

incomes were not large; there was little time for study or attendance at meetings of medical association gatherings; and the hard life to be expected in the plantation district did not attract the ablest men. Before the introduction of the sugar industry physicians were as a rule paid according to the services rendered; occasionally they were given a contract at so much per slave annually;[55] in later years they were more often employed on the contract basis.[56]

In order to have slaves properly attended it was necessary for each large plantation to have a well-ordered hospital as a part of its equipment.[57] Negroes reporting that they were sick were immediately sent to this hospital, required to put on clean clothing and received treatment from the attendants under the general direction of the physician and the overseer. The latter on many plantations went to the hospital each morning and prescribed immediate treatment. For more serious illness the physician was called at once. In what was called a "prescription book" physicians on some plantations kept a record of the condition and treatment of each negro on the sick list and stated what labor he was still able to perform.

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[55]By lease of May 22, 1724, a plantation opposite New Orleans was leased to Jean Hugot at 100 Spanish dollars yearly. In case of serious need the proprietor was to defray the cost of medical attendance upon plantation slaves.—Catalog of Documents in the Cabildo (New Orleans), case for 1717-1729, Doc. No. 25, *236*; In a "Memorandum of what I did to the negroes of M. Paillon's plantation, for the year 1726" the items include purgative and astringent prescriptions, bleeding, a duretic treatment, and other sundries to the amount of 76 francs.—Index of Records of Superior Council, Louisiana Province. Doc. No. 26 *43*. In October 26, 1726, a surgeon sued one Chaperon for 74 francs. Chaperon had refused payment on the ground that his negro had died subsequent to treatment by the surgeon.—Ibid., 26 *155*. In a contract dated September 21, 1728, Surgeon Dujoux agreed to attend all negroes on a certain grant (71 adults and 4 children) for a yearly fee of ten francs a head for the adults and five each for the children. Visits were to be made every other day.—Ibid., 28 *123*. An account submitted by a Dr. Alexandre January 28, 1728 was for 472 francs. He listed the usual stock items given, such as "hipecac," laudanum, and oil of almonds; but also, more unusual, dragon's blood, eyes of crabs, extract of red roses, and water of the queen of Hungary.—Ibid., 28 *11*.

[56]On May 20, 1823, Dr. J. St. Martin of Lafourche Parish was paid $57 "for medical attendance of plantation." On January 1, 1825 the same planter paid "To Dr. Clark for attendance on negroes for 1823,—$310.64."—Lafourche Planter's Notebook (MS), in private possession. Governor Roman's physician was employed by the term.—Russell, My Diary, p. 258.

[57]In 1792 a Dr. Girod informed the City Council of New Orleans that he had received a consignment of negroes afflicted with chicken pox and requested the use of public land on the right bank of the river in order to isolate them. The council arranged for the use of private land and later received a claim from the owner for the use of it.—Documents 101, 102, 103, and 104 in "Spanish Documents Nos. 10—200" (1770-1792) MS., in the Cabildo, New Orleans.

The hospital on Valcour Aime's plantation about 1853 was said to be 64 feet square, and to contain seven rooms and an immense "verandah."—Harper's Magazine, VII, 746ff.

Occasionally a white boy, probably the son of an overseer, acted as sort of interne at a hospital. When he happened to be an observing lad he became a valuable assistant to the physician and was more reliable than a negro attendant. Negro women were assigned as nurses under his direction as needed. Usually, however, experienced negro women were in charge of hospitals. While they were careless and needed supervision, they proved fairly efficient nurses. It is probable that under the careful direction of the physician, the planter or the overseer they rendered services to the negroes almost equal to that rendered the whites.[58]

Closely allied to the duties of the hospital attendants was the care of those expecting to become mothers. When such women reported their condition they were soon numbered among the women of that class and were assigned to only light duties. Suspicion of misrepresentation of facts in order to avoid labor was sometimes followed by threats to put the woman back to work[59] until her condition could be determined. Occasionally unprincipled or over-zealous overseers overworked pregnant women.[60] Generally progressive planters and their overseers, took pride in their care of mothers and their infants.[61] Even at best, ignorance, carelessness, and lack of proper medical training caused the loss of many lives in infancy.[62]

When mothers were able to return to their labors in the field they were assigned light work near the negro quarters. Once during the morning, at noon, and again in the afternoon

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[58]John McDonogh said, "In sickness I had as good care taken of them as of myself with good nurses to attend them."—Papers, p. 61. Judge Rene Beauregard speaks of similar attention. At Magnolia Plantation, he states, men and women were treated separately.—Judge Rene Beauregard, Life on Magnolia Plantation (MS).

[59]Report of an overseer to Dr. D. T. Gorman.—New Orleans Medical and Surgical Journal, September 1851, p. 195.

[60]Bartlett, American Slavery as it is (New York), p. 37. The author is strongly biased but tells what is apparently a true story.

[61]Russell, My Diary, p. 274. On the Bayou Cotonniere Plantation 63 "accouchements" were recorded in 28 years following 1828. The holding there, as a rule, consisted of about 85 to 100 slaves of all ages, of whom from 40 to 50 were women. According to the list Henriette "accouchée" Oct. 20, 1840; June 3, 1843; July 10, 1845; Nov. 18, 1847; May 27, 1850; September 10, 1853; July 30, 1854; Sept. 15, 1857. Rhode was confined Feb. 12, 1842, April 12, 1850; Feb. 19, 1853; Jan. 22, 1854; March 23, 1855; Oct. 3, 1856, March 17, 1860; Feb. 25, 1862; etc. In 28 years there were two still births, and one pair of twins.—MS. notebook of Bayou Cotonniere Plantation in Howard Library. For this note I am indebted to Professor U. B. Phillips of the University of Michigan.

[62]In 1856 lockjaw of infancy was reported as very destructive in the sugar district.—DeBow's Review, XX, 74.

they were permitted to visit the "nurse house"[63] to attend their infants.[64] During the remainder of the day the children were in charge of certain old women unfit for anything else but wise enough to tend the children.[65]

It has been pointed out above that masters were required to care for aged and disabled slaves. To prevent evasion of this duty by emancipation of such slave masters freeing negroes were made responsible for their care and keeping.[66] Moreover, the law required that when old and disabled slaves were offered for sale, they should be sold with the one of their children with whom they chose to go.[67] Their maintenance was no small trouble and expense. Almost every holding of slaves included several crippled or past the age of usefulness.[68] Charges of abuse appear to have been well-founded—but founded upon the exceptional cases.

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[63]Thorpe states that Valcour Aime's nursery was fifty feet square.—Harper's Magazine, VII, 746ff.

[64]Russell, My Diary, p. 253; Some planters called in their sucklers at eleven o'clock in the morning, allowed the usual two hours at noon and permitted them to go home an hour earlier than the other hands at night.—Olmsted, Seaboard Slave States, p. 657.

[65]Beauregard, Life on Magnolia Plantation (MS). The overseer on Burnside's Houma plantation said to Russell, "There's not a plantation in the state can show such a lot of young niggers. The way to get them right is not to work the mothers too hard when they are near their time; to give them plenty to eat, and not send them to the fields too soon."—Russell, My Diary, p. 274. On some plantations each woman who had borne a child during the year received two dresses on New Year's Day instead of one.—Alcée Fortier, Louisiana Studies (New Orleans, 1894), p. 126.

[66]The code of 1855 required persons emancipating slaves to give a bond for a thousand dollars for each slave, "conditioned that said slave shall not become a public charge."—Act of 1855, 308, 72 (March 15).

[67]Ibid., Section 61.

[68]Fortier, Louisiana Studies, p. 125. Russell in speaking of Governor Roman's slaves says: "Among them were some very old men and women, the canker-worms of the estate, who were dozing into eternity, mindful only of hominy, and pig, and molasses.—Russell, My Diary, p. 257. In 1852 there were on the Orange Grove Plantation just below Donaldsonville 106 negroes of all ages and sexes. Five of them "walked on wooden legs."—DeBow's Review, XIV, 200. In August, 1853, Valcour Aime recorded that "Daniel Wilson, a soldier of the revolution, died this month, at the age of one hundred and seven years, and at the age of one hundred and four years, moved an acre of hay per day."—Aime, Diary, p. 165. Many of the lists of slaves examined include several very old slaves.

VI

SOCIAL AND RELIGIOUS LIFE

1. Gatherings

Health and contentment among slaves depended to a great extent upon the amount of leisure permitted them and upon the way in which such leisure was spent. Since the labor to be performed on a sugar plantation was arduous at certain periods it was found expedient to give slaves some compensation to encourage them to do their utmost without the use of the lash. Notwithstanding the elaborate provisions for the control of the slaves, it was necessary for planters to use caution in dealing with them. Serious agitation or an outbreak of an insurrection during the grinding season could easily entail the loss of a large part of the crop. It was to the interest of planters to make conditions of life for slaves such as would tend to secure their contentment. To this end it was expedient to cater to their whims, their prejudices, their religious inclinations, their superstitions and their distinctive customs.

Tinged as it was with the strong religious sentiment of the age, the early French and Spanish law enjoined the observance of Sundays and holidays; masters were forbidden to work their slaves on those days in any field or at any other heavy labor.[1] After the purchase of Louisiana by the United States masters were still prohibited from requiring their slaves to work in the fields on Sunday unless they paid them for it.[2] When the crops were "unusually grassy"[3] and sometimes during the grinding season[4] work was required on Sunday.[5] On other Sundays the slaves on most plantations were required

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[1]Edit du Roi (Paris ? 1724), Article V.

[2]Acts of the Territory of Orleans, 1806-07 (June 7, 1806).

[3]V. Aime's Diary, July 7, 1844; Olmsted was told that another day was frequently given instead of Sunday, that the French had formerly almost always worked on Sunday, and that they still did so more often than the Americans.—Olmsted, Seaboard Slave States, p. 681.

[4]V. Aime's Diary, November 4 and 28, 1844.

[5]Olmsted was told that in certain localities Sunday was generally ignored. He quotes a planter as saying, that he had seen negroes at work almost every Sunday, when he had been in the country, since he had lived in Louisiana. He "'spent a Sunday once with a gentleman, who did not work his hands at all on Sunday, even in the grinding season; and he had got some of his neighbors to help him build a school-house—which was used as a church on Sunday. He said there was not a plantation on either side of him as far as he could see, where the slaves were not generally worked on Sunday; but that after the church was started, several of them quit the practice, and made their negroes go to the meeting. This made others discontented, and after a year or two, the planters voted new trustees to the school, and these forbade the house to be used for any other than school purposes' ".—Olmsted, Seaboard Slave States, p. 651.

to do no labor for the master. This appears to have been especially true of the most systematic and best known planters.[6] Practices of smaller planters varied largely in different communities and with individuals.

In addition to Sundays a large part of the planters gave their slaves Saturday afternoons to cultivate their own crops. A few gave all of Saturday when not behind with plantation work. Other days of rest and holidays given depended upon the condition of the crops and upon the disposition of masters. A few gave a holiday just preceding the grinding season.[7] They and a larger number of others usually gave holidays at the end of the grinding season[8] or at Christmas.[9] The period given varied from one day to a week.[10] Still others made New Year's Day a day of general festivities.

New Year's Day on some plantations was an occasion of great merriment and pleasure for the slaves. It was a day set

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[6]V. Aime's Diary, Nov. 26, 1849; also November 28, 1853 when he "stopped grinding as customary on Sunday." Burnside gave from noon on Saturday until dawn on Monday morning.—Russell, My Diary, p. 275. John McDonogh objected to any labor on Sunday, even for the slaves' own account, but often had to shut his eyes to it up to 1822 because he knew they needed the extra money. In that year he determined to give Saturday afternoon for their own labor and to punish for Sunday work thereafter. This he did for almost twenty years. His will, written apparently in the early 'forties requested that "on such estates as * * * the general estate may continue to cultivate after my decease, the slaves and cattle, (immaterial what the culture carried on may be sugar or other) shall not be permitted to labor on the sabbath day, but shall cease work at sundown on Saturday evening and commence again their labor at sundown on sabbath evening."—McDonogh Papers, p. 45; Will and Memoranda to Executors, p. 66. On the Bayou Cotonniere Plantation the gang of about 90 working hands worked on Sundays as on week days.—MS. Account book of Bayou Cotonniere Plantation 1851-1861, in Howard Library, New Orleans. For this note I am indebted to Professor U. B. Phillips of the University of Michigan.

[7]V. Aime's Diary, Oct. 30, 1837; Oct. 20, 1839; Oct. 28, 1851; Oct. 7, 1853; Oct. 18, 1855. On October 21, 1844 his "Plantation hands say prayer in the newly built sugar house, and then give a ball."

[8]An eye witness who was also a student of the customs of Louisiana has given the following description of the custom of making a gala occasion of the cutting of the last cane for grinding: "When the hands reached the last rows left standing, the forman (*commandeur*) chose the tallest cane, and the best laborer (*le meilleur couteau*) came to the cane chosen, which was the only one left in the field uncut. Then the whole gang congregated around the spot, with the overseer and the foreman, and the latter, taking a blue ribbon, tied it to the cane, and, brandishing the knife in the air, sang to the cane as if it were a person, and danced around it several times before cutting it. When this was done, all the laborers, men, women and children, mounted in the empty carts, carrying the last cane in triumph, waving colored handkerchiefs in the air, and singing as loud as they could. The procession went to the house of the master, who gave a drink to every negro, and the day ended with a ball, amid general rejoicing.—A. Fortier, Louisiana Studies, p. 128. Others give similar accounts. One writer says the last procession of this kind he saw had twenty-five wagons in line, containing 250 field hands, and drawn by seventy-five mules.—R. A. Wilkinson, The Sugar Fields of Louisiana, in The Southern Bivouac, Vol. II, No. 1, p. 18 (June, 1886).

[9]V. Aime's Diary, Dec. 29, 1845; Jan. 7, 1850 (three days); Dec. 24, 1851 (three days).

[10]"Commenced work yesterday after the usual holiday."—Stone's Notebook (MS), Jan. 11, 1848. "Nothing done last week being a holiday."—Ibid., Dec. 31, 1849.

apart for a holiday and for the issue of clothing, blankets, and gifts in the form of extra rations. Each person received a piece of fresh pork or beef, several pounds of flour, and a new tin pan and a spoon. After all had received allowances and gifts, they collected on the lawn, or repaired to the sugar house, and the dancing and singing began.[11]

The more indulgent planters permitted their slaves to dance often. A few allowed dancing on Saturday nights notwithstanding sentiment and occasional laws prohibiting such[12]; more found Saturday afternoons and Sundays preferable.[13] Idleness was likely to breed mischief among negroes[14] and could be more easily avoided by providing wholesome amusements under the supervision of overseers or responsible slaves.[15] Permission for negroes to gather in other meetings was given with the same careful discrimination. Planters had to guard their negroes against the imposition of those pretending to possess powers as conjurers or as "voudous." Dr. Cartwright of New Orleans states that "On almost every large plantation there are one or more negroes who are ambitious of being considered in the character of conjurers, in order to gain influence, and to make the others fear and obey them * * * nearly all * * * are at times kept in constant dread and terror

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[11]Fortier, Louisiana Studies, p. 126. Negro balls in general were spectacles worth beholding. Those of Louisiana negroes when their customs were more primitive and when superstition was more powerful were strange and wierd. Dancing to the music of a drum made of a cowhide stretched over the end of a barrel, they circled and swung each other in the spectacular dances until they were almost frenzied. When one set was exhausted others took their places and the dance went on. In dancing the "carabiné" the man took his *"danseuse"* by the hand and whirled her rapidly and almost interminably while she waved her red handkerchief on high and sang over and over again some strange French couplet. In dancing the less graceful but more strange *"pilé Chactas"* the order was reversed. The woman scarcely moved her feet as she danced while the man was turning around her, kneeling, making grotesque faces and writhing and twisting like a serpent. When the object of his affections had become sufficiently enchanted she became excited, and sang and waved her gaudy handkerchief with her jubilant companion. She concluded by obligingly drying the perspiration from the face of her *danseur* and, finally, from the faces of the musicians. Ibid., p. 127.

[12]A territorial act of April 14, 1807 prohibited a planter's permitting the assembling of slaves of other plantations in his slave quarters, and prohibited permitting his own slaves to dance at night.—Acts, 1806-1807, p. 186. Slaves in St. Johns Parish in 1849 were prohibited from beating the drum or dancing after sundown.—Minutes of the Police Jury, Parish of St. John (MS), August 13, 1849.

[13]Governor Roman is said to have permitted dancing every Sunday.—Russell, My Diary, p. 258.

[14]The testimony in a case in 1836 showed one "to be indulgent to his slaves, in permitting them to go backwards and forwards to his neighbors' plantations on Sunday," while his neighbor was more "strict in keeping his negroes at home on Sundays."—Louisiana Reports, 10 L. 288, Rice v. Cade (September 18, 1836).

[15]When the slaves from some plantations went to balls or church on neighboring plantations they were accompanied by the head negro or driver who was responsible for their conduct. In such instances individual passes were dispensed with.

by the conjurers. * * * Intelligent negroes believe in ["superstition about conjuration"] who are ashamed to acknowledge it."[16] Planters sometimes feared loss of life or property through their influence. Constant fear of servile insurrection required precautions, though the letter of the law appears to have been somewhat more harsh than actual practices.[17] Prohibitions of meetings of slaves were ignored or evaded particularly in the case of religious gatherings not suspected of being dangerous in their tendencies. Encouragement of sane religious customs among slaves was an additional safeguard to the welfare of the community wholly forgotten by neither official nor owner.

2. Interest in Religious Affairs

The necessity of providing for the religious instruction of slaves in Louisiana was felt quite early. In a "treaty" with the India Company signed at Paris, September 13, 1726, the Ursulines received a grant for land and eight negroes to assist in the erection and support of a hospital in Louisiana. The Ursulines arrived in New Orleans, August 7, 1727, and were soon recognized as a power for good in the colony. "Especially did the colored women and young girls console them by a radical change in their morals, so corrupt till then."[18] It was said of one of the foundresses who had died in 1731, that she had "devoted herself with ardor to the instruction of the slaves, preparing them for Baptism and initiating them to the practice of Christian and moral virtues, of which they ignored even the name." But religious instruction of slaves did not cease with the death of the venerable Mother Marguerite Judde de St. John l'Evangeliste. "On all Sundays and feast days, religious instruction was given to colored persons. Several hundred of them regularly assisted at these instructions. After the instruction they repaired to the Church to recite the Beads. In those early days, the Priests were few in number. Mother Ste. Marie remained charged with this instruction during forty years. After her death (June 23, 1820), Mother St. André was

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[16]DeBow, Industrial Resources, II, 321.

[17]Patrols in the parish of St. Johns were instructed to visit "above all on the eve of a Sunday, a holy-day or day of assembly at the church."—MS. Minutes of the Police Jury, Parish of St. Johns, August 13, 1849.

[18]Extracts from documents in the archives of the Ursuline Convent of New Orleans. For these extracts I am indebted to the Mother Superior. A letter written by a Jesuit missionary, Rev. Father Petit, dated New Orleans, July 12, 1730, speaks of the Ursulines' instruction of negresses.—Ibid.

charged with it until 1824."[19] Madame Deschesne, of the Order of the Sacred Heart, who visited New Orleans in 1818, reported that many "negresses and mulatresses" assembled at the Ursuline convent for catechism every evening. "The blacks," she writes, "gather around Abbé Martial (the convent chaplain) with the fervor of the early Christians gathering about St. Peter, and when the signal gun obliges them to withdraw, they complain of not being allowed to remain all night at their pious exercises."[20]

Reports as to conditions in the rural districts were somewhat less enthusiastic than the above. A priest wrote from upper Louisiana in 1823: "The slavery of Negroes is most disheartening. American masters permit them to marry in church and to practice their religion. But in Lower Louisiana, the French for the most part, do not wish you to speak of instructing their slaves or of giving them the sacraments of matrimony; they are often not even permitted to go to church."[21]

While such criticisms appear to have been based on truth they do not tell the whole story. They might go further and explain that advocates of the church had been overzealous in their efforts in behalf of slaves, and that interest in self-preservation combined with pique at the methods employed had alienated many of the planters. Others, of course, were merely indifferent.

At one time slaves were required to be baptized in the Roman Catholic faith.[22] Instructions of the Spanish government required each planter to support a chaplain whose duty it should be to impart religious instruction to the negroes;[23] and the sexes were to be kept separate. These requirements were found to work a hardship upon the planters who could scarcely bear the expense. The Cabildo therefore requested

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[19]Extracts from documents in the archives of the Ursuline Convent of New Orleans. Sister Farjon who was born at Avignon set out for New Orleans in 1786. Here she divided her attention between the slaves and the pupils of the Ursuline Convent.—Am. Cath. Q't'rly Review., XII, 273.

[20]Ibid., 272ff. Contributed by "M. A. C." in an article headed "Education in New Orleans in Spanish Colonial Days."

[21]American Catholic Historical Society Records, XIV (1903), p. 189.—Extract from a letter from Rev. John Mary Odin, Aug. 2, 1823.

[22]Elenor Riggs, The Growth of the Institution of Slavery as an Integral Part in the Development of the Lower Mississippi (MS. 1912), p. 76.

[23]Gayarré, Louisiana, III, 301 (Royal Schedule, May 31, 1789).

that the orders be rescinded[24] and Louisiana planters soon had a reputation for ungodliness. Their precautionary measures in prohibiting unauthorized gatherings, or meetings likely to bring forth inflammatory sermons or speeches in times of threatened insurrection did not better their reputation. Finally when planters in certain communities objected to kneeling at the same altar with slaves, and were credited with rising in church on several occasions to drive their slaves from the communion rail,[25] they seemed steeped in wickedness almost beyond redemption.

It appears, however, that the criticism was by no means universally deserved. Many planters and communities took an active interest in the spiritual welfare of their slaves.[26] Records indicate that frequently ceremonies at the baptism, marriage or burial of slaves were similar to that accorded whites.[27] They were encouraged to say prayers;[28] in some instances they were permitted to use churches and school buildings on Sundays;[29] in others buildings were constructed for

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[24]The argument was that there were not priests in sufficient numbers to fill the curacy in every parish; planters were badly in debt; and that many plantations were so scattered that the same chaplain could not officiate on them. In regard to the sexes working together, they said that the work on most plantations often required all together; division would increase the cost and trouble of supervision; most planters only had a few negroes with whom they and their sons or an overseer worked in the fields; the work was proportionate to the sex, strength, age, and health of the slaves and no abuses had resulted from both sexes working together; even admitting that masters were careless, slaves would be too tired to indulge in certain excesses, altohugh their labors were endurable, and ample time was allowed them for their own benefit and purposes; and, finally, amusement could be afforded only upon larger plantations if the sexes were kept separate.—Gayarré, III, 302.

[25]Pere Jan who went to St. Martinsville as pastor in 1851 is said to have offended some of his parishioners by his zealous labors among the colored people and with the above mentioned result.—Am. Cath. Quarterly Rev., XIV, 483.

[26]Most of the planters in the sugar district were Catholics. Other churches were active in parishes north of the sugar district. Methodists and Presbyterians were said to have services regularly in Tensas Parish in 1853. According to the report there were four Methodist ministers in the parish, one hundred and twenty white members and one hundred and three colored.—DeBow's Review, XIV, 435.

[27]It is said that records in the archives of St. Martin show that 2198 baptisms of blacks were registered from 1802 to 1840.—Am. Cath. Quarterly Rev., XIV, 477. For registration of slave baptism see Register of Baptisms, No. 23 (St. Louis Cathedral, New Orleans), p. 64, act No. 425, April 25, 1832. The names of sixteen slaves baptized on Bayou Cotonniere Plantation are given in a list dated November 11, 1855. The name of the godfather and godmother is given in each case. There were about 85 slaves of all ages on the plantation at that time.—MS. account book of the Bayou Cotonniere Plantation, in Howard Library, New Orleans. For this note I am indebted to Professor U. B. Phillips of the University of Michigan.

[28]cf. reference above to prayer and ball held in a new sugar house.

[29]cf. refrence above to building of a school house for white children, to be used as a church for negroes, but which the latter were later forbidden to use.

their use;[30] attempts were made to see that they were properly instructed in religious affairs;[31] and planters frequently employed regular chaplains for their slaves.[32]

3. Marriage

The ante-bellum South has been frequently criticised and to a great extent justly, for the attitude taken towards marriage among slaves. Early French laws in Louisiana enjoined the use of the regular marriage ceremony by both bond and free. Church officials were prohibited from performing the marriage ceremony for slaves without the consent of their master, and masters were prohibited from requiring the marriage of slaves against their will.[33] In 1789 Louisiana masters

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[30]After about 1822 John McDonogh saw to it that on his plantations "the sabbath day was kept holy. Church was regularly attended, forenoon and afternoon; for I had a church built expressly for them on my own plantation, in which a pious neighbor occasionally preached on the sabbath day, assisted by two or three of my own male slaves, who understood, preached, and expounded the scriptures passably well; and at times I read them a sermon myself."—McDonogh Papers, p. 45.

[31]Bishop Martin, who was appointed to the diocese of Natchitoches in 1853, "set to work at once zealously to revive religion, see that the young and the negroes were properly instructed and put religion on a solid basis."—John G. Shea, History of the Catholic Church in the United States, 1844-1866, (New York, 1888), p. 676.

An act of the legislature approved March 12, 1830 prohibited teaching slaves to read or write. John McDonogh's will written about 1838 or 1840 recommended "that application be made to the legislature of the state for permission to educate the black people on the different estates. (a good English education) as they are to be sent to Africa."—Will and Memoranda, p. 66.

[32]Editor's Note, DeBow's Review, XIV, 272 (1853). Bishop Leonidas Polk of Lafourche Parish owned about 400 slaves. According to a statement attributed to him, he tolerated no religion on his estate but that of "the Church"—the Protestant Episcopal Church. He baptized all the children and taught them the catechism. All without exception attended the church service, and the chanting was creditably performed by them, in his opinion. Ninety of them were communicants, marriages were celebrated according to the church ritual and the state of morals was satisfactory.—F. L. Olmsted, Journey in the Back Country (New York, 1860), p. 107.

A statement, apparently based on church records, says, "In 1826 and 1827 multitudes of Congo negroes used to assemble every Sunday on the green before the church in St. Martin's and dance under the trees. This gave no small annoyance to the pastor**. But gradually they became Christians, and the horrible ceremonies entirely disappeared."—Am. Cath. Quarterly Review., XIV, 478.

[33]Edit du Roi (1724), Articles VII and VIII; On November 28, 1727, Darby, director of the Bernard Coutillon grant, authorized the marriage of John Mingo, "English free negro," to Therese, a slave negress of said grant, on specified conditions. John was to pay as much as he clearly could, each year, toward the payment of 1500 francs, the price of Therese. Darby, meanwhile, promised to allow so much rice, corn, beans, and so many sweet potatoes to feed Therese; he also promised to furnish her clothing. When the price was paid Therese was to have her liberty. Children, if any were born meanwhile, were to be free. Mingo gave a promissory note for 200 francs yearly until the 1500 francs were paid and all promised to go well. Unfortunately for the negroes, Darby proved a skinflint. In a suit on November 21, 1730, Mingo claimed that Darby offered difficulties to their bargain by attempting to hold him for extra expenses, house-rent, etc. The court sustained Mingo and we hope all went well.—Index of Records of Superior Council, Louisiana Province, No. X 27 *11*."

were instructed to provide for the satisfactory marriage of slaves even at the expense of purchasing the object of the affections of the slaves already owned; but the planters argued that the plan was impracticable and inadvisable.[34]

After Louisiana was transferred to the United States there was less insistence upon the marriage of slaves. In 1819, the Supreme Court of Louisiana, in deciding whether the marriage of slaves produced any of the civil effects resulting from such a contract, after manumission, said:

"It is clear that the slaves have no legal capacity to assent to any contract. With the consent of their masters they may marry, and their moral power to agree to such a contract or connection as that of marriage cannot be doubted; but, whilst in a state of slavery it cannot produce any civil effect, because slaves are deprived of all civil rights. Emancipation gives to the slave his civil rights, and a contract of marriage, legal and valid by the consent of the master and the moral assent of the slaves, from the moment of freedom, although dormant during the slavery, produces all the effects which results from such contract among free persons."[35]

Lack of legal recognition of marriages between slaves, however, did not prevent its private recognition. They were not allowed to marry without the consent of their masters but that was as a rule easily obtained.[36] It is true that the interests of the master caused him to discourage a negro's marriage to a woman on another plantation—it was inconvenient to have the negro visit his wife, and the children from the union would belong to the master of the mother—but more or less formal marriage on the home plantation was encouraged.[37]

Weddings of domestic servants in particular were frequently celebrated at the home of the master.[38] Sometimes his

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[34]They argued that often the master of neither slave was able to purchase the other slave; that such forced sales would give rise to frauds, and heart burnings; that negroes had an aversion to marriage and would often run away if forced into it, since they would feel that they were then enduring a double servitude.—Gayarré, Louisiana, III, 302.

[35]Louisiana Reports, 6 Martin (O. S.) 559, Girod vs. Lewis 1819.

[36]Beauregard, Life on Magnolia Plantation (MS), p. 3. Some planters strictly prohibited the marriage of cousins. Planters themselves would marry cousins but their negroes were too valuable to be permitted to degenerate.

[37]See discussion of slaves drawing rations on Belle Alliance plantation in 1837, above.

[38]Martha, the slave of A. J. Donaldson, "was married in 1862 at the Donaldson mansion, on the left bank of Bayou Lafourche opposite Thibodeaux, now the residence of Judge Taylor Beattie."—Clipping in scrapbook of H. C. Braud, Burnside, La.

office was used, and a priest, the master, or one of the negroes themselves read the solemn ceremony,[39] after which there was a dance. Available evidence[40] indicates that in the last twenty-five or fifty years preceding the Civil War slaves in the majority of cases set up family groups and lived as man and wife, with or without a marriage ceremony. Slaves whose wives lived on other plantations were usually permitted to make weekly visits to them.

Immoral relations between whites and blacks was frowned upon. Some overseers were enjoined to observe the strictest code of morality,[41] and the power of the master over the slave, according to a decision of the Supreme Court, was legally only such as was consistent with good morals. The laws did not "subject the female slave to an involuntary and illicit connexion with her master but would protect her against that misfortune."[42]

There is but little accurate information as to the amount of illicit intercourse between whites and blacks. There is no doubt that there were numerous instances,[43] but the sentiment of the leading planters was against it and conditions appear to have been far better in this respect in most rural districts than in the city. It is probable that a large part of the efforts of planters and priests to regulate the relations between slaves were unsuccessful. The Negroes' love for the ceremonial may account for many of their weddings, while their predilection for looseness in morals probably sometimes discouraged a master from requiring such a ceremony. We may conclude that on the whole, on Louisiana sugar plantations, as in other parts of the South, while there was little legal recognition of marriages among slaves, weddings were usually celebrated by religious exercises and that usually the rights of husbands and wives were secured as effectively as they desired.[44]

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[39]Statements of elderly persons who have witnessed several slave weddings.

[40]E. g., lists of families drawing rations, slaves sold in families, etc.

[41]"No man will be retained on any of my places—who is not *strictly sober, moral* and *humane*, in his habits.—Rules, Regulations and Instructions for the Management and Guidance of the Overseers and Employees on the Plantation of Joseph A. S. Acklen (New Orleans, 1861), p. 8.

[42]Louisiana Reports, 6 A 223 Vail vs. Bird (1851).

[43]According to the census of 1860 about 24 per cent of the slaves of Orleans Parish in and around New Orleans were mulattoes. In most river parishes to the north the percentage was from 9 to 13 per cent. In Plaquemines in the low land to the south the percentage was 2. In Lafourche, a bayou parish inhabited by rather small planters the percentage was 26.

[44]U. B. Phillips, Racial Problems, Adjustments and Disturbances in the Antebellum South, in "The South in the Building of the Nation," IV, 201.

VII

BUSINESS ASPECTS OF SUGAR PLANTING

The business of sugar planting is known as a precarious one. It was no less so in antebellum days. In fact certain disadvantages involved under the old régime have disappeared under the present day system. Planters were usually in debt or in need of more capital, and profits were far from equal to what was claimed in the usual reports. Owing to the expense of mills and machinery a larger amount of cash or credit was required to begin operations on a sugar plantation than on other plantations. Even those planters who did not purchase their plantations and stocks of slaves on credit usually purchased supplies for the current year on credit and if there was anything left when this and other expenses had been met at the end of the year it was immediately spent for more slaves. The typical routine was to buy more slaves to make more sugar to bring more money to buy more slaves. Since in Louisiana, sugar cane must be replanted every third year and hence in order to run smoothly one must plant or replant about one third of his plantation each year, it took some time to get a new sugar plantation into full operation. In the meantime expenses must be met while returns were small.[1]

The following extracts from the notebook of a Lafourche Parish planter illustrates the financial operations of a typical large planter:

"New Orleans, January 1st, 1822. Inventory of my Estate.

I have in ready money—in the U. S. Bank		$ 2,254.91
Amount due me from the widow		1,036.92
Balance due me by * * * per his acct of this date		4,333.02
Balance due me by * * * per his acct of this date		1,626.84
Cost of my sugar plantation, slaves, etc., at LaFourche, purchased on the 1st August, 1821 (see bill of sale)		140,000.00
Cost of the following slaves, house servants		
Reubin & Kipsey	$1,800	
Elsy & child	800	
Mia	1,000	
Rose	920	
Minty	800	5,320.00
Cost of my house furniture & plate		6,000.00
Cost of a carriage		600.00

[1] "Rattoon very small and worthless. The purchase of this place has proved a hard bargain."—John P. R. Stone, MS, Diary, August 8, 1852.

Value of a House & Lot situated in Phil'd in German Street, Southwark	1,000.00
Cost of Four Shares U. S. Bank Stock	414.00
A Promissory note, in the hands of Judge Wm. Murry of Natchitoches for collection	1,000.00
———note payable 5/8 Feb. next	866.00
Nine boxes	99.00

According to his statement this planter owed notes payable to a prominent New Orleans man as follows:

Payable	January 13, 1822	$ 1,163.00
"	August 8, 1822	1,260.00
"	" " "	1,260.00
"	" 10, 1822	3,591.66
"	" " "	150.00
"	January 13, 1823	1,163.00
"	August 10, 1823	2,829.16
"	January 13, 1824	1,163.00
"	August 10, 1824	11,666.66
"	January 13, 1825	1,163.00
"	January 13, 1826	1,163.00
"		1,089.89
"	to another firm April 3, 1822	250.00
		$27,999.37

In this account he has not listed certain property held in community with his partner nor "a balance due me by * * *as of his acct dated 1st Jan. 1831 for $3128.10—which I fear is a bad debt."

Further entries are:

"1822. Jan.—Paid for cotton gin			$ 320.00
Jan. 17 " freight on cotton, sugar and molasses from plantation to town			225.00
Jan. 22 Debts Receivable from 4 Hhds sugar			359.08
Jan. 23 Received for 61 bales of cotton—19,974 lbs. @ 19c, ie $3,795.06			
Weighing	$ 6.10		
Brokerage	18.96	25.06	3,770.00
Jan. 23 For 17 barrels Pork @ $6 ea $102			
Drayage		1.25	103.25
Jan. 30 sold sugar			2,031.36

Feb.	1	Paid for bale of blankets	235.13
"	"	Debts Receivable for sugar	1,683.36
March	26	Paid to George W. Oldham balance due him for overseeing my plantation at Lafourche during the year 1821 and hire for 10 negroes during that period	2,734.06
April	2	Paid — for 100 bbls. of corn	87.50
"	"	Paid for log chain	2.88
"	10	Paid for two horses	130.00
"	20	Paid for 66 Barrels of corn	57.75
		Surveying lines	31.00
		Rice	2.50
"	30	Paid for negro Hampton	1,000.00
May	14	" taxes for year 1822	134.19
"	14	" 180 bbls corn @ 75c	135.00
"	20	" for bacon	50.00
"	"	" " 100 bbl corn	62.50
"	22	" " 80 bbl corn	70.00
May	31	Paid for 2311 lb Bacon @ 4½ cts	159.00
June	4	" Dr. Martin's bill	36.00
June	18	Elsey and child sold for	1,000.00
"	"	Kerseys, linseys, etc	137.99
August	22	Paid for set of parlor curtains	70.00
Dec.	10	Paid for two Barrels Pork @ 11 ea	22.00
March 22, 1823		to John Perry for one year's salary ending Feb. 9, as overseer on my plantation at Lafourche[2]	1,000.00

The controversies over the tariff in the 'thirties and 'forties led to the preparation of several estimates of the financial operations on sugar plantations. The circumstances under which they were prepared and the fact that they often fail to approximate an agreement on larger items does not prevent them from being valuable in suggesting details. One of the fullest and most detailed was prepared in 1830 by a "committee appointed by the * * * inhabitants of St. Matrin * * * to report on the amount of capital invested, expenses incurred, and revenue realized in sugar planting in St. Martin." They estimated the items to be taken into account by a man intending to begin operations on a place on which fifty working hands would be needed, as follows:

[2]MS. in private possession. In several instances names have been omitted by request. An error is noted in the bill of May 31.

1250 acres land suitable for sugar plantation @ $20		$ 25,000.00
50 negroes (working hands) at $600		30,000.00
30 pair work oxen at	40	1,200.00
40 horses & mules at	50	2,000.00
25 cows at	15	375.00
10 carts at	60	600.00
25 ploughs at	7	175.00
24 pair trace chains at	75c	18.00
10 ox chains at	3	30.00
5 plow chains at	3	15.00
1 timber wheels and chain		100.00
50 hoes		37.00
36 axes at	$1.50	54.00
15 collars and hames	2.00	30.00
16 ox yokes at	4.50 (?)	41.75
40 spades		30.00
6 crosscut saws at	5.00	30.00
2 whip saws at	8.00	16.00
Carpenters and coopers tools		50.00
Blacksmith shop and tools		150.00
Dwelling house, negro cabins, stables and corn mill		6,075.00
30,000 pickets for fencing		2,100.00
24 cane knives & 12 scythes		40.00
60 arpents sugar cane for plants		3,000.00
Grinding house (and outfit)		10,000.00
Mill put up ready for grinding		2,000.00
Clothing, feeding and doctor's bills for 50 negroes @ $50		2,500.00
Overseer, board & washing		1,000.00
Cooper		375.00
Sugar maker		502.50
12 hoe harrows at	5.00	60.00
5 harrows at	8.00	40.00
Am't capital invested[3]		$ 87,704.25

It is evident that when modern improvements were introduced they were expensive. Yet there was very little pooling of resources in building and equipping mills and very few de-

[3]Nile's Weekly Register, Vol. XXIX, 271 (Dec. 11, 1830). This estimate was for the average inland plantation. It was reported that the stock on the plantation of V. Aime about 1853 consisted of "sixty-four mules, twelve horses, sixteen oxen, one hundred and forty-five sheep, eighty head of cows and beeves, two hundred and fifteen slaves."—T. B. Thorpe, in Harper's Magazine, VII, 746-767. Several other enlightening estimates of similar import were made during the tariff controversy.—E. J. Forstall, Agricultural Productions of Louisiana (New Orleans, 1845); U. S. Cong. House Ex. Docs. 29th Congress, 1st Sess. Vol. II, 697ff. This volume of House Executive Documents contains statements by R. W. Harris and others regarding the financing of a plantation, in the parish of St. Mary, employing 30 negroes of all ages and producing 100 hogsheads of sugar; a statement by E. J. Forstall headed "The Pro Forma expenses of a sugar estate working a gang of 100 slaves, and producing per annum—five hundred hogsheads of sugar;" a statement by P. A. Rost; and others.

pended upon community or custom mills to grind their cane for profit. Very few planters, excepting small planters on bayous, were without their own mills. It was too risky. Cane ought to be ground neither early nor late in the season and one man's produce would be in danger of freezing while waiting for that of another to be finished.

While there were very few community mills, men interested in sugar planting did, in many instances, form partnerships or corporations for the operation of plantations. This combining of capital and talent was probably encouraged by the uncertainties of sugar planting, and fluctuations of crops[4] and of profits. Planters who combined resources might remain solvent when those of limited means could not. It was sometimes necessary to secure sufficient capital to finance operations after severe losses from frosts, hurricanes, crevasses or fluctuations in price due to alteration of the tariff or other causes.[5] A writer spoke of the small crop of 1856-1857 as follows: "This remarkable result, however, I attribute to two incidents, the first being the killing frost of October, 1855, which blasted the hopes of all the planters of the fine sugar-growing Parishes of Iberville, West Baton Rouge, and some other parishes in which it could not have proven as severe; for I know both the lands and the tillers of the lands; but when I see a large half of them making no sugar at all I am forced to the conclusion that something extraordinary, and which I do not understand, must have occurred in that section of the State; something different from any of the vicissitudes experienced in other parts of the State. The second is the hurricane of August, which not only caused great destruction of life and property on Last Island but made great havoc among the crops of the rich and productive sugar Parish of St. Mary, besides prostrating a great many dwellings, out-houses, and sugar-houses;

[4]See page 12, Fluctuations in the crop of individual planters as illustrated by the crop of E. J. Forstall and Valcour Aime both of St. James Parish. Forstall's crop was estimated as 683 hogsheads in 1849-1850. In the succeeding nine years his crop was 463, 375, 375, 850, 600, 700, 179, 318, and 500 hogsheads. The crop of Valcour Aime for 1849-1850 and succeeding years was: 1,000, 700, 678, 1131, 1409, 1,140, 875, 515, 820 and 1,453 hogsheads. It may be said that sugar planters had large quantities of molasses as a by-product. This, too, varied from as low as 60 in 1849-1850 to as high as 70 gallons per 1,000 pounds of sugar according to the amount of rain and the quality of cane. The price of molasses as well as that of sugar, fluctuated.—P. A. Champomier, Statement of the Sugar Crop of Louisiana (New Orleans, 1845-1859).

[5]"Nearly every planter had to haul water to grind—some a considerable distance. Some had to windrow their cane and wait for rain to fill their reservoirs, before making sugar."—Ibid., 1850-1851, p. 44.

thus causing an almost entire failure of both the sugar and corn crops of that parish. . . . wherever it passed (and it took a wide sweep) it forced the cane nearly to the ground in one direction and then, by a change of its course, raised and bent it in the other direction, . . . in Terrebonne, Lafourche Interior and Plaquemines, . . . some planters have hardly realized one-half the expectations which they had formed."[6]

Frosts and hurricanes were not responsible for all small crops. Crevasses, caused frequent and widespread destruction. Overflows of 1858 were described as follows: "All promised well, when on the 11th of April the levee gave way at the plantation of Mr. John M. Bell, a short distance above New Orleans, and on the opposite side of the river. Many efforts were made to stop the crevasse, and much expense was incurred, but all to no effect. For some time after this calamity many planters thought that they could protect themselves with back levees, and I have no doubt that some would have succeeded to a certain extent, but after great labor and expense their efforts were rendered futile by another crevasse, which took place on the 2nd May, on the plantation of Mrs. Labranche & Son, twenty-five miles above the city and on the same side of the river as the "Bell Crevasse." All efforts to stop this break also proved futile, and the double calamity worked destruction together. From that moment a large number of planters, exposed to the course of the rushing water, abandoned all hope of saving any portion of their crops. Had the break in the levee been alone confined to that at Bell's Plantation the damage, in my opinion would have been comparatively small, not extending further, perhaps, than Jefferson, Orleans, and Plaquemines; but when both these crevasses opened passages for the flow of immense bodies of water, the two streams tending toward each other, and finally combining in their work of destruction, their course involved all that rich section of the country situated between Bayou Lafourche and the Mississippi river, which was completely inundated by the water, on their way to the Gulf. The waters continued to rise and spread more and more every day, until their source, the Mississippi river itself, began to fall, carrying destruction to cane, corn, and other crops, not only of Lafourche Interior, but also of St. Charles,

[6]P. A. Champomier, Statement of the Sugar Crop of Louisiana (New Orleans, 1856-1857), p. vi-vii.

St. John the Baptist and to some extent St. James and Assumption, and extending even to the back portions of the plantation in the Parish of Ascension. From a careful investigation of the matter I estimate the damage to the sugar crop, resulting from the crevasses, to be equal to about 53,093 hh'ds. The value of other products it would be impossible for me to state.

"Several other crevasses took place, besides the two already mentioned, but they were stopped before effecting much damage. One on the plantation of Messrs. McHatton & Saunders, East Baton Rouge, one at Messrs. Auet & Hebert's and one at Col. P. L. Cox's, on Bayou Lafourche. These were all stopped by the efforts of the planters themselves. At the plantation of Messrs. Auet & Hebert the levee gave way three or four times, but was never abandoned until it was permanently stopped, much to the credit of the planters."[7]

Still another cause of fluctuation in the total crop of the state was fluctuation in area cultivated. It was estimated that in 1849-1850 1,455 sugar houses were in operation, representing approximately an equal number of plantations. At least 62 other plantations were expected to produce in 1850-1851 and still others by 1851-1852. As a matter of fact only 1,490 plantations produced sugar in 1850-1851 and the report for that year said: "There are but very few new plantations preparing for the next crop, the improvement in the price of cotton having deterred many from entering upon sugar who were nearly ready to embark in that culture."[8]

There was no fixed custom as to the source of plantation provisions. The evidence indicates that in general planters devoted their attention largely to the production of sugar and purchased their provisions in large part from sources outside the sugar district. Other supplies came almost wholly from outside the state. The attitude towards those supplying provisions is shown by the following quotation from the Planters' Banner of Franklin, Louisiana:

"C. H. Hinckley of Charenton, is now on the Teche between Franklin and New Iberia with an ample supply of Irish potatoes of the best quality, flour, whiskey, stone-ware, iron ware, and divers other useful articles which he sells at very

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[7]P. A. Champomier, Statement of the Sugar Crop of Louisiana (New Orleans, 1858 1859), pp. vii-viii.

[8]P. A. Champomier, Statement of the Sugar Crop of Louisiana (New Orleans,) 1849-1850, p. 52; 1850-1851, p. 46. Of the 1,331 sugar houses in Louisiana in 1856-1857 "nearly 400 have done nothing."—Ibid., 1856-1857, p. 44.

reasonable prices. The Captain has brought his cargo from the Ohio river, and intends to follow up the business of supplying the Teche with provisions from the west every year. We hope to see the Captain well sustained. He will always do a good part by our people, and they should do a good part by him."[9]

One of the Louisiana members of Congress was guardian to a minor who owned a part of a sugar plantation in partnership with others. In settling the accounts for the crop of 1851, which was a poor crop year, it was found that nearly the whole of the proceeds of the crop had been spent for supplies. According to the guardian's statement, which was made in a political controversy, the money was spent about as follows: Twenty percent to the manager, sugar boiler, engineer, carpenters, bricklayers, coopers and other laborers; five percent to physicians and others; twenty percent for pork, flour, and other provisions principally from Ohio. The balance, he said, was paid for clothing, hats, shoes, axes, hoes, plows, etc., principally from the Eastern states; sugar kettles, grate bars, etc., as repairs, from Tennessee; hoop poles from Kentucky; horses and mules from Missouri; wagons and carts from Wheeling, Virginia; and, finally, for transportation of these supplies to the plantation.[10]

Not all provisions used in the sugar district, however, were shipped from the outside. Small planters on bayous not navigable at all times and places found transportation expensive and inconvenient. They, therefore, combined farming and su-

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[9]An undated clipping in private possession.

[10]DeBow's Review, XIX, 507. An earlier report dealt especially with the source of mill equipment: "There have been put up in this State, since 1846, including the present year, not less than 353 sugar mills and engines furnished by the following Foundries, viz: Cincinnati Foundries—J. Nyles & Co., 199; Jas. Goodloe & Co., 45; David Grifye, 37; Pittsburg Foundries—Arthur Armstrong & Co., 3; Jackson, Whiteman & Co., 32; Knapp & Totton, 2; besides Vacuum apparatus this latter firm has furnished already, and are now under contract for the coming crop for 8 or 10, perhaps more; Richmond, Virginia, Foundry—J. R. Anderson, proprietor, 7; Baltimore, Maryland, Foundry—Wells & Miller, proprietor, 4; Louisville, Kentucky, Foundry—Jas. Curry, proprietor, 3; Belleville Iron Works, Algiers, Louisiana, 2; Phoenix Foundry, Gretna, Silvester Bennnett, proprietor, 6. Leeds & Co., New Orleans, 10; The Novelty Iron Works of New York, 5 Sugar-mills and engines, 6 Durones' patent copper condensers, a good number of vacuum pans, and a considerable quantity of Stillman's patent clarifiers, evaporating and granulating pans. Philadelphia has furnished and keeps furnishing apparatus which I have lost sight of—making an aggregate of 355 mills and engines of which at least 120 have replaced old ones. A great many horse power mills have been made by the above named Foundries, more particularly by Goodloe, Grifye, and S. Bennett. However, the latter, as is the case with our local Foundries, make but little new work, comparatively speaking, the repairs they have to make every season, more particularly during grinding, when breakage so frequently occurs to the machinery, keeps them at work day and night."—P. A. Champomier, Statement of the Sugar Crop of Louisiana, 1849-1850, p. 53.

gar planting. Advocates of rotation in crops attempted to encourage the production of plantation provisions at home. A number of progressive planters, even along the Mississippi, actually did produce large quantities of corn, pumpkins, and peavine hay,[11] while others continued to have it shipped in. It appears that very little meat was ever produced in the plantation district.

It would be interesting in this connection to know to what extent the planters insured their slaves. Unfortunately there appears to be but very little available information on the subject. Term insurance upon the lives of slaves was carried on to a considerable extent in some parts of the South,[12] and at least one company in existence in Louisiana before 1850 has left certain statistics as to its operations.[13] From the records of "The Mutual Benefit Life and Fire Insurance Company of Louisiana" was prepared a report upon the company's mortality experience, during a period of one year and nine months ending with April 1, 1851. This report shows that of the total number insured 266 were white and 716 were negroes. The mortality rates of the whites was 75 hundredths of one per-cent while for the negroes the rate was 2.51 percent. Of the eighteen negroes who died during the twenty-one months covered by the report eight died of cholera. Two died of pulmonary diseases, two were drowned, one died of typhoid fever, one of ulceration of the throat, one of diarrhoea, one of endocarditis, one of gastro-enteritis, and one of dropsy and paralysis. Unfortunately there is little evidence as to the occupation of these 716 negroes. It is probable, however, that the slaves of Louisiana sugar planters were not usually insured. A writer well known in ante bellum days, a physician of Mobile, wrote that it had not been and that he did not think it likely to become the custom of masters to insure slaves "except in those instances where they suppose some extraordinary risk to life is incurred." Most of the negroes presented to him for insurance had been deck-hands of steamboats. In his opin-

[11]Valcour Aime, Diary, June 1 and Oct. 18, 1837; Oct. 2 and 10, 1838; Sept. 24, 1839.

[12]DeBow, Industrial Resources, II, 292, 299; The South in the Building of the Nation, V, 637, 638.

[13]E. H. Barton, Report of the Louisiana State Medical Society on the Meteorology, Vital Statistics and Hygiene of the State of Louisiana (New Orleans, 1851), p. 58. This report is used to some extent in The South in the Building of the Nation, V, 640-641.

ion "it would be unsafe to insure negroes on plantations in the country, because it is impossible to get competent and reliable medical examiners," and for other reasons.[14] It is probable that his views were held in Louisiana.

The reports available seem to justify the conclusion that success in sugar planting was dependent on so many circumstances that opening a plantation was a speculative undertaking. A man intending to operate on a scale something above the average purchased a plantation for $150,000 or $200,000. He paid what he could and usually gave security for the payment of the balance in six annual installments, with high interest from date of purchase. If good crops were made for the next five or six years he might hope to pay out. Usually he did not. Poor crops resulting from sickness, crevasses, frosts or wet or dry weather frequently sent the planter to seek financial aid in New Orleans. He had to have money to meet his notes and to pay current expenses. If there were three or four poor crops in succession he was ruined. More often, however, planters found themselves able to pay just enough of their debts each year to leave a hope of paying out in the future. Thus they struggled on, men of ability, handling great sums of money, managing great interests, ever hoping for Fortune's smile but ever on the verge of ruin.

VIII

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[14] DeBow, Industrial Resources, II, 299.

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The Records of the Superior Council of Louisiana at the Cabildo in New Orleans are now being classified and indexed under the auspices of the Louisiana Historical Society. This work has been in progress since 1921 under the supervision of Mr. Henry P. Dart of New Orleans, archivist of the Society. A preliminary card index is being prepared and twenty-one instalments of this index appeared in the Louisiana Historical Quarterly during 1917-1924, covering the period 1717-1739. These records cover every phase of the social and economic life of the French Colony of Louisiana down to 1769. It is estimated that at least twenty thousand Mss. of varying size are included in this depository.

Similar work is proceding at the same place under the same supervision on the Spanish Judicial Records of Louisiana 1769-1803 and five instalments of a preliminary index have been published in the La. Historical Quarterly in 1923-24. The Spanish Records are equally rich in historical material and are fully as numerous.

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